



Corrections and Community Supervision

2016 Releases from Custody Three Year Post-Release Follow-Up

2016 Releases from Custody: Three Year Post Release Follow-up

Return-to-custody data are presented for incarcerated individuals released from the New York State Department of Corrections and Community Supervision (DOCCS) in 2016. This includes individuals who were released from parole program facilities¹ as well as those released from correctional facilities.

Return rates are based on a three-year follow-up period and are analyzed relative to several demographic and legal history characteristics. Return rates among the 2016 release cohort are compared to those found for an aggregated release cohort covering 1985 to 2016.

¹ These alternative treatment program facilities include the Drug Treatment program at Willard (and other locations) and the Edgecombe Residential Treatment facility. Parole violators began participating in a 90-day alternative drug treatment program at Willard in November 2007 and in a separate 30-day alternative drug treatment program at Edgecombe in December 2008 (which was later extended to a 45-day program in April 2010). Incarcerated parolees can be housed in these facilities, but are excluded in this report.

TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	iii
SECTION ONE: <i>Releases and Returns</i>	1
SECTION TWO: <i>Return Rates by Release Type and Readmission Type</i>	3
SECTION THREE: <i>Time to Return</i>	7
SECTION FOUR: <i>Return Rates by Sex</i>	9
SECTION FIVE: <i>Return Rates by Release Crime</i>	11
SECTION SIX: <i>Readmission Crimes</i>	16
SECTION SEVEN: <i>Return Rates by Age at Release</i>	20
SECTION EIGHT: <i>Return Rates by Ethnicity</i>	23
SECTION NINE: <i>Return Rates by Criminal History</i>	24
SECTION TEN: <i>Return Rates by First or Previous Release</i>	27
SECTION ELEVEN: <i>Return Rates by Region</i>	30
SECTION TWELVE: <i>Returns of Drug Offenders</i>	34
SECTION THIRTEEN: <i>Return Rates of Veterans</i>	36
SECTION FOURTEEN: <i>Return Rates by Total (State + Jail) Time Served</i>	37
SECTION FIFTEEN: <i>Return Rates by COMPAS Supervision Level</i>	39
SECTION SIXTEEN: <i>Return Rates for Subsequent Release Cohorts</i>	40

EXECUTIVE SUMMARY

Return Rates. Among the 21,224 releases in 2016, there were 8,627 (41%) individuals who returned to DOCCS' custody within three years, including 8% recommitted with new felony convictions and 32% returned for violating the conditions of their release. Since the 1996 cohort, the total return rate has been fairly stable at approximately 40%, with increasing violation rates and decreasing new conviction rates (see **Table 2.1**, p. 4 and **Figure 2.1**, p. 5).

Release Type. Individuals released by a decision of the Board of Parole returned at a higher rate (50%) than offenders released at their conditional release dates (37%). Individuals released at the maximum expiration of their sentence, who can only return for a new felony conviction because they are not subject to supervision upon release, had a return rate of 19% (see **Table 2.1**, p. 4).

Warrant Type. Among those individuals returned for violating the conditions of their release, 41% had been issued Absconder warrants, 32% had been issued Technical warrants, and 27% had been issued New Arrest warrants (see **Table 2.2**, p. 6).

Time to Return. Of the 8,627 individuals returned to custody, eighty-six percent returned within the first 24 months after their release (see **Table 3**, p. 7). Overall, the median time to return was 11 months. The median time to return was 19 months for new commitments and 9 months for those who violated the conditions of their release. The overall median time to return has decreased since 1985 releases (see **Figure 3**, p. 8). This has been primarily due to a decrease in the median time to return among parole violators.

Sex. Females had a much lower rate of return (32%) than males (41%). The difference in female and male return rates was evident for both new convictions (4% vs. 9%) and returns for violating the conditions of parole supervision (28% vs. 33%) (see **Table 4**, p. 9 and **Figures 4.1** and **4.2**, p. 10).

Release Crime. The return rate of VFOs was 43% and the return rate of "Property and Other Offenders" was 40%. Individual crimes with the highest return rates included Other VFO Sex Offenses (58%), Burglary 2nd (52%), Arson 1st/Arson 2nd (52%), Possession of Stolen Property (52%), and Other Sex Offenses (49%). Individual crimes with the lowest return rates included Murder (12%), Manslaughter 2nd (21%), and Manslaughter 1st/Aggravated Manslaughter 2nd (24%) (see **Table 5**, p. 13).

Readmission Crime. Thirty-two percent of the 2016 releases returned with new felony convictions committed drug offenses, 28% were convicted of violent felony offenses, 27% were returned for property and other offenses, and 13% were convicted of other coercive offenses (see **Table 6.1**, p. 17).

Age. Younger individuals returned to DOCCS' custody at a higher rate than older individuals. Over half (54%) of the individuals released in 2016 who were under 21 years old returned, while 40% of the individuals 21 years of age or older returned (see **Table 7.1**, p. 21).

Criminal History. Among the 2016 releases, 38% of individuals with no prior conviction returned within three years, while 44% of the releases with two or three prior felony convictions returned (see **Table 9.2**, p. 26).

First vs. Previous Releases. Individuals who had no prior releases on their sentence were less likely to return (35%) than individuals previously released and returned (50%) (see **Table 10**, p. 27).

Region. Among the 2016 releases, individuals committed from Upstate Urban counties were more likely to return (51%) than individuals from other Upstate counties in New York State (45%), Suburban New York City (38%), or New York City (33%) (see **Table 11**, p. 31).

Veterans. Among the 2016 releases, individuals identified as verified veterans returned to prison at lower rates (30%) than nonveterans (41%) (see **Table 13**, p. 36).

Time Served. Among the 2016 releases, those who served 12-17 months had the highest return rates (45%), while those with total time served of 240 or more months had the lowest return rates (11%) (see **Table 14**, p. 37).

COMPAS Supervision Level. Return rates varied for individuals released to Community Supervision and supervised at different supervision levels. Those most intensively supervised, at Level 1, had the highest return rate (57%), followed by those supervised at Level 2 (53%), Level 3 (38%), and Level 4 (18%) (see **Table 15**, p. 39).

SECTION ONE: RELEASES AND RETURNS

The following report presents return-to-custody information on a cohort of incarcerated individuals released from facilities of the New York State Department of Corrections and Community Supervision (DOCCS) in 2016.² Each individual was followed for three years after release. Return-to-custody data for the 2016 cohort is compared with earlier annual cohorts, beginning with 1985, as well as a cumulative cohort covering 1985-2016 releases. The return rates by several demographic and legal history variables are assessed. Finally, a partial follow-up analysis is presented for 2017 and 2018 releases.

Description of the Release Cohorts

There are several types of releases from DOCCS' facilities. For example, individuals may be temporarily released to a mental health facility, non-citizen individuals may be deported, individuals may be paroled or they may complete their sentence. As in past reports, this follow-up study includes only the sanctioned release or discharge of an individual to the community due to:

- a) the expiration of a sentence with no requirement of supervision in the community;
- b) the individual's release by authority of the Board of Parole;
- c) the individual's conditional release, which is required by statute after the incarcerated individual has served his or her maximum or determinate sentence less any earned good time credits.

The release that triggers inclusion in the follow-up is not necessarily the first time the individual was released from DOCCS' custody while serving the current sentence. The 2016 cohort includes some individuals who were released to parole supervision prior to 2016, but who then returned to DOCCS as parole violators before their re-release during 2016.³

Returns to New York State DOCCS' Custody

Although there are many ways to measure recidivism (e.g., re-arrest, re-conviction, and re-incarceration), this study defines recidivism as a return to DOCCS' custody for reasons other than participating in a specified program for incarcerated parolees. Once an individual is given a sanctioned release to the community, there are two ways that he or she can be readmitted to DOCCS' custody. A *New Court Commitment* returns to DOCCS' custody after receiving a new felony conviction and a new sentence. A *Returned Parole Violator* (RPV) is returned to DOCCS' custody to continue serving time

² Incarcerated parolee releases are excluded from this analysis.

³ One thousand, eight hundred ninety-five of these re-released offenders had previously returned to custody to participate in an alternative treatment program, either the 90-day program at the Willard Drug Treatment Campus or an alternate location or the 45-day program at Edgecombe. These returned parole violators had been given a time assessment by an Administrative Law Judge, but served a shorter amount of time (90 or 45 days) and were re-released after successfully completing the program to which they were assigned.

on a remaining sentence after having violated the conditions of supervision.⁴ The type of behavior for which an individual can be returned to custody as an RPV includes: absconding from supervision, being arrested, and/or violating the conditions of parole supervision in an important respect.⁵

Return data presented in this report reflects an individual's first return to custody within three years of their release. Return rates are related to release type; parolees and conditional releases remain under community supervision until the maximum expiration of their incarceration and post-release supervision sentences and therefore may be returned to DOCCS' custody for violating the conditions of parole supervision as well as for a new felony conviction. Individuals who complete their maximum sentence, however, are not under parole supervision after their release, and can only return for conviction of a new felony offense.

The 2016 Release Cohort

Table 1
2016 Releases: Returns to Custody by Type of Release

RELEASE TYPE	TOTAL RELEASES		RETURNS		NO RETURN	
			#	%	#	%
TOTAL	21,224	100.0%	8,627	40.6%	12,597	59.4%
PAROLE ⁶	8,769	41.3%	4,411	50.3%	4,358	49.7%
CONDITIONAL RELEASE	10,220	48.2%	3,800	37.2%	6,420	62.8%
MAXIMUM EXPIRATION	2,235	10.5%	416	18.6%	1,819	81.4%

Previous versions of this annual report have included appendices which presented trends in rates of return among the annual historical release cohorts. While they have been removed from this version of the annual report, historical appendices can be found for the 1985 through 2015 release cohorts in *2015 Releases from Custody, Three Year Post-Release Follow-Up*.⁷

⁴ New York currently has a mixed sentencing structure. Over half of the 2016 releases followed for this report (60%) were sentenced under New York's determinate sentencing policy, serving 6/7 of the sentence and then serving imposed post-release community supervision. Individuals who received indeterminate sentencing serve some portion of their sentence in prison and then remain under parole supervision until the maximum expiration of their sentence. For more detail, see Article 70, Sentences of Imprisonment, New York State Penal Law.

⁵ For additional information on warrant type associated with returns to custody, please see Table 2.2 in Section Two.

⁶ Besides individuals who were first-released by decision of the Board of Parole after serving their minimum sentence, included in these releases are individuals who were re-released back to Community Supervision after participating in an alternative drug treatment program as a returned parole violator as well as parole violators re-released to post-release supervision whose release date was determined by an Administrative Law Judge.

⁷ The report is available at https://doccs.ny.gov/system/files/documents/2021/11/2015-releases_three-year-post-release-follow-up_final_20211117.pdf

SECTION TWO: RETURN RATES BY RELEASE TYPE AND READMISSION TYPE

Table 2 presents return rates by readmission type for the 2016 releases and for the cumulative release cohort of 1985-2016 releases. Within three years of release, 32% of the 2016 releases were returned for violating the conditions of parole supervision and 8% returned with new felony convictions. Individuals can be returned to custody for violating the conditions of parole supervision in an important respect for a variety of behaviors that result in warrant issuance. In addition to violating the specific conditions of parole supervision in an important respect, which can result in the issuance of a technical warrant, individuals can also be issued a warrant for absconding from supervision or for a new arrest.

The percentage of the cohort released by action of the Board of Parole has decreased over time; among the 2016 releases, 41% were released by the Board, compared to 62% of the combined 1985-2016 cohort.⁸ Among both cohorts, paroled and conditionally released individuals were more likely to be returned for violating the conditions of parole supervision than for new felony convictions. Forty-three percent of the individuals released by the Parole Board during 2016 were returned for violating conditions of parole supervision within three years and 8% returned for new felonies. Similarly, among the 2016 conditional releases, 30% were returned for violating their conditions, while 7% were returned for new crimes. The return rate for violating the conditions of parole supervision was higher among parole releases than among conditional releases. This is because most conditional releases are first releases whereas the majority of parole releases are not⁹, and individuals who had no prior releases on their sentence (first releases) tend to have a lower recidivism rate than those who had prior releases.

⁸ Individuals who received determinate sentencing may be first-released on CR date or ME date. Since determinate sentencing was introduced for second violent felony offenders in 1995, first violent felony offenders in 1998, and drug offenders in 2005, the number of conditional releases has increased.

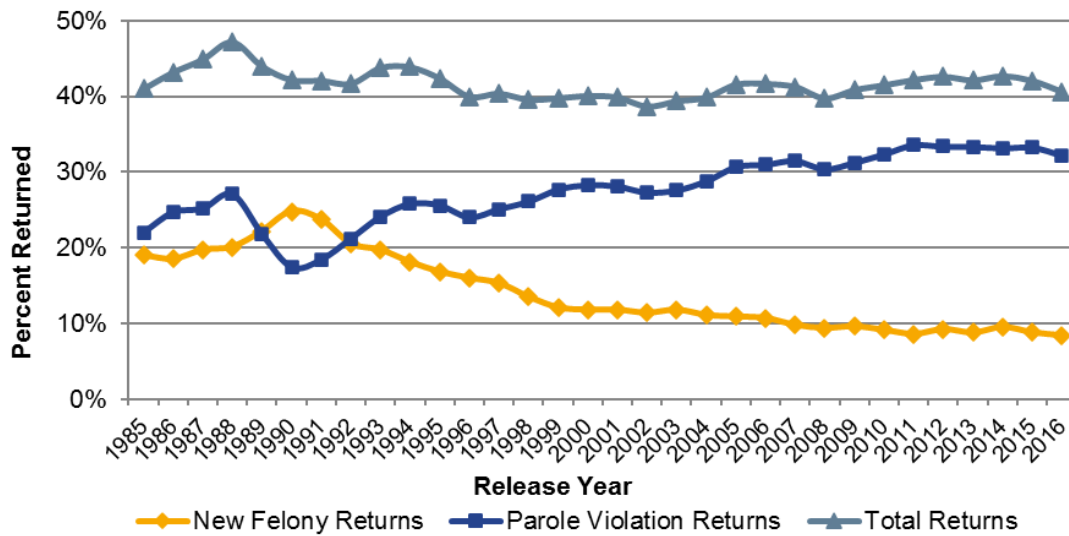
⁹ For the 2016 release cohort, 97% of conditional releases were first releases on the sentence. Among parole releases, only 34% were first releases and 66% had prior releases on their sentence. By restricting the analysis to first releases only, the return rate for violating the conditions of parole supervision was higher among conditional releases (37%) than parole releases (30%). (See *Section Ten* for details).

Table 2.1
Returns for New Felony Offenses and for Violations of Parole:
Releases in 2016 and 1985-2016

RELEASE TYPE AND RELEASE COHORT	TOTAL RELEASED		TOTAL RETURNED	RETURNED: NEW COMMITMENT	RETURNED: PAROLE VIOLATION
	#	%			
2016 RELEASES	21,224	100.0%	8,627	1,789	6,838
% (return/release)	100.0%		40.6%	8.4%	32.2%
PAROLE	8,769	41.3%	4,411	658	3,753
% (return/release)	100.0%		50.3%	7.5%	42.8%
CONDITIONAL RELEASE	10,220	48.2%	3,800	715	3,085
% (return/release)	100.0%		37.2%	7.0%	30.2%
MAXIMUM EXPIRATION	2,235	10.5%	416	416	(Not Applicable)
% (return/release)	100.0%		18.6%	18.6%	
1985-2016 RELEASES	751,404	100.0%	312,131	103,855	208,276
% (return/release)	100.0%		41.5%	13.8%	27.7%
PAROLE	465,741	62.0%	207,904	65,173	142,731
% (return/release)	100.0%		44.6%	14.0%	30.6%
CONDITIONAL RELEASE	227,194	30.2%	90,896	25,351	65,545
% (return/release)	100.0%		40.0%	11.2%	28.8%
MAXIMUM EXPIRATION	58,469	7.8%	13,331	13,331	(Not Applicable)
% (return/release)	100.0%		22.8%	22.8%	

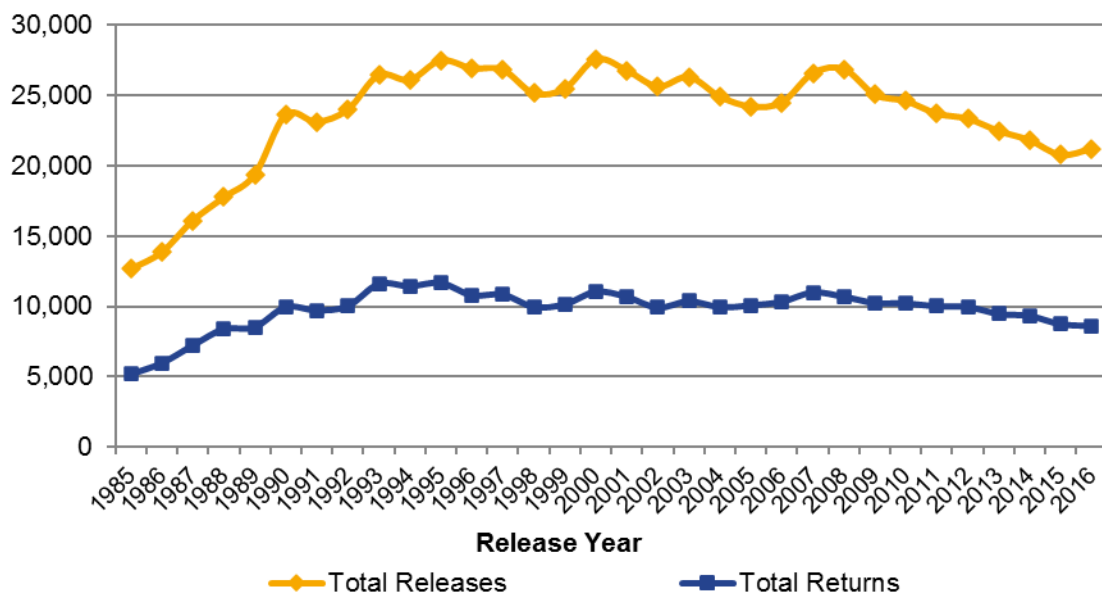
As shown in **Figure 2.1**, since the 1996 cohort, the total return rate has been fairly stable at approximately 40%, with increasing violation rates and decreasing new conviction rates. The total return rate for the 2016 cohort was slightly lower than the rate for the 2015 cohort (41% versus 42%, respectively). Since 1990, parole violator return rates have generally increased, while new commitment rates have fallen. The new commitment rate of 8.4% among the 2016 releases is the lowest rate of return experienced by a release cohort, and decreased slightly from that of the 2015 release cohort (8.8%). Among the 2016 cohort, returns for violating the conditions of parole supervision accounted for 79% of all initial returns within three years.

Figure 2.1
Three-Year Return Rates by Return Type: 1985-2016



Although the number of returns has decreased since 2008 because the number of releases from DOCCS custody has also decreased during that time period, the rate of return has remained fairly consistent, as shown in **Figure 2.2**.

Figure 2.2
Releases and Three-Year Returns: 1985-2016



The warrant type associated with the return to custody for violating the conditions of parole supervision is presented for the 2016 releases in **Table 2.2**. Absconder warrants were the most frequently issued warrant type among the returns (41%), followed by Technical warrants (32%), and New Arrest warrants (27%). Males who returned to prison for parole violations were more likely to have been issued a New Arrest warrant compared with females (28% and 22%, respectively), while females were more likely to be returned to prison subsequent to the issuance of a technical warrant than males (38% and 31% respectively).

Table 2.2
Warrant Type among Returns for Violations of Parole by Sex:
2016 Releases

RELEASE COHORT AND WARRANT TYPE	TOTAL RETURNED: PAROLE VIOLATION	SEX	
		MALES	FEMALES
2016 RELEASES	6,831	6,419	412
NEW ARREST	1,856	1,766	90
% (return/release)	27.2%	27.5%	21.8%
ABSCONDER	2,799	2,633	166
% (return/release)	41.0%	41.0%	40.3%
TECHNICAL	2,176	2,020	156
% (return/release)	31.9%	31.5%	37.9%

Note: Warrant Type is unavailable for 7 of the cases.

SECTION THREE: TIME TO RETURN

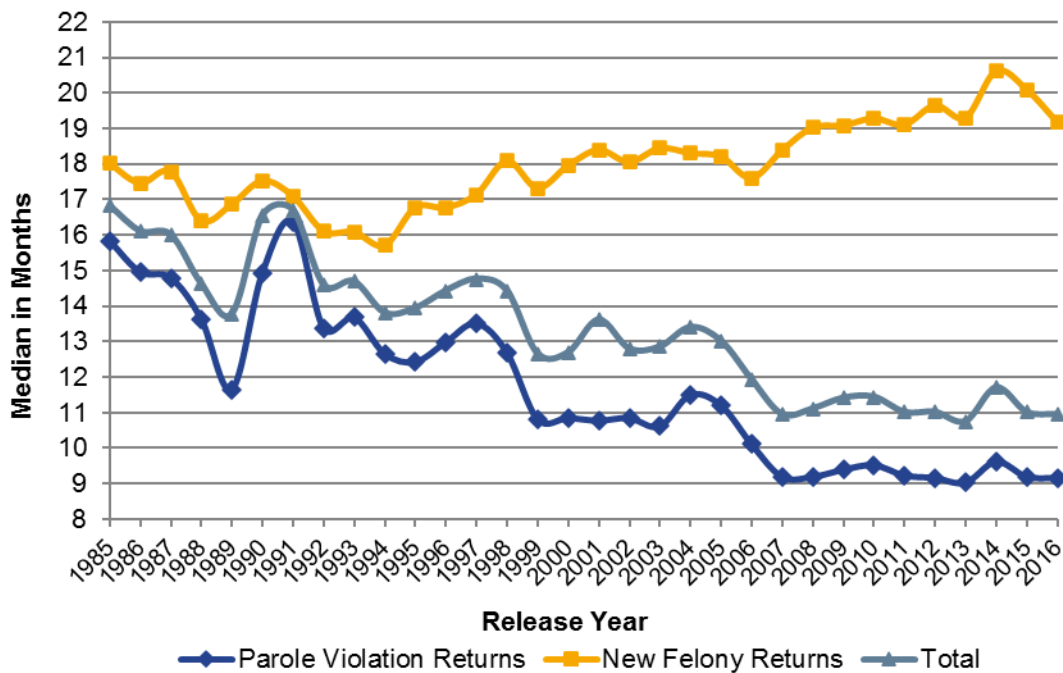
Table 3 presents the number of months from release to readmission for the 2016 releases that returned to DOCCS' custody. The median time-to-return for the 2016 cohort was 11.0 months. This means 50% of returns to prison occurred within eleven months of release. Of all 2016 releases returned to DOCCS' custody within three years, 86% were returned within 24 months of their release. Those who were returned for violating the conditions of their parole supervision returned more quickly (9.2-month median) than releases who returned as new commitments (19.2-month median).

Table 3
Returns to Custody by Time to Return and Type of Return:
Releases in 2016 and 1985-2016

TIME BETWEEN RELEASE AND RETURN	TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
	#	%	#	%	#	%
2016 RELEASES						
TOTAL RETURNED	8,627	100.0%	1,789	100.0%	6,838	100.0%
1-6 MONTHS	2,241	26.0%	75	4.2%	2,166	31.7%
7-12 MONTHS	2,473	28.7%	305	17.0%	2,168	31.7%
13-18 MONTHS	1,610	18.7%	439	24.5%	1,171	17.1%
19-24 MONTHS	1,066	12.4%	393	22.0%	673	9.8%
25-30 MONTHS	724	8.4%	322	18.0%	402	5.9%
31-36 MONTHS	513	5.9%	255	14.3%	258	3.8%
MEDIAN # MONTHS	11.0		19.2		9.2	
1985-2016 RELEASES						
TOTAL RETURNED	312,131	100.0%	103,855	100.0%	208,276	100.0%
1-6 MONTHS	51,794	16.6%	7,093	6.8%	44,701	21.5%
7-12 MONTHS	88,333	28.3%	21,812	21.0%	66,521	31.9%
13-18 MONTHS	68,090	21.8%	24,388	23.5%	43,702	21.0%
19-24 MONTHS	47,634	15.3%	20,510	19.7%	27,124	13.0%
25-30 MONTHS	32,568	10.4%	16,552	15.9%	16,016	7.7%
31-36 MONTHS	23,712	7.6%	13,500	13.0%	10,212	4.9%
MEDIAN # MONTHS	13.5		18.0		11.5	

As shown in **Figure 3**, since 1985, the median time to return dropped substantially among those returned for violating the conditions of parole supervision while it increased for new felon returns. The median time to return for new commitments increased from 15.7 months among the 1994 release cohort (shortest recorded) to 20.6 months among the 2014 release cohort (longest recorded) and has decreased to 19.2 months for the 2016 cohort.

Figure 3
Trends in Time to Return by Type of Return: 1985-2016



SECTION FOUR: RETURN RATES BY SEX

Ninety-three percent of the 2016 releases were males (see **Table 4**). Since females tend to have a slightly shorter length of stay in DOCCS' custody, they are slightly overrepresented in the release cohort compared to an under custody population.¹⁰ Consistent with previous release cohorts, the rate of return for females released in 2016 was substantially lower than the return rate for males (32% compared to 41%). Among females who returned to DOCCS' custody, 86% returned for parole violations and 14% returned for new offenses. For males who returned to DOCCS' custody, 79% returned for parole violations and 21% returned for new crimes.

Return rates for the 1985-2016 cohort were similar to the 2016 release cohort; females had overall lower return rates than males (29% compared to 42%). For both females and males, the new commitments return rate was higher for the 1985-2016 release cohort than for the 2016 release cohort.

Table 4
Returns to Custody by Sex:
Releases in 2016 and 1985-2016

SEX	TOTAL RELEASED		TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
	#	%	#	%	#	%	#	%
2016 RELEASES	21,224	100.0%	8,627	40.6%	1,789	8.4%	6,838	32.2%
MALES	19,745	93.0%	8,150	41.3%	1,724	8.7%	6,426	32.5%
FEMALES	1,479	7.0%	477	32.3%	65	4.4%	412	27.9%
1985-2016 RELEASES	751,404	100.0%	312,131	41.5%	103,855	13.8%	208,276	27.7%
MALES	700,128	93.2%	297,043	42.4%	99,935	14.3%	197,108	28.2%
FEMALES	51,276	6.8%	15,088	29.4%	3,920	7.6%	11,168	21.8%

On the next page, the trends are illustrated graphically. Since the early 1990s, parole violator return rates have generally been increasing, while new felony return rates have generally been declining. The new felony return rate among males decreased slightly from 9.2% among 2015 releases to 8.7% for the 2016 cohort. Among females, the return rate for new felonies increased slightly between 2015 and 2016 (3.7% to 4.4%).

¹⁰ On December 31, 2016, 95% of the incarcerated individuals under custody were male and 5% were female.

Figure 4.1
Return Rates among Male Releases: 1985-2016

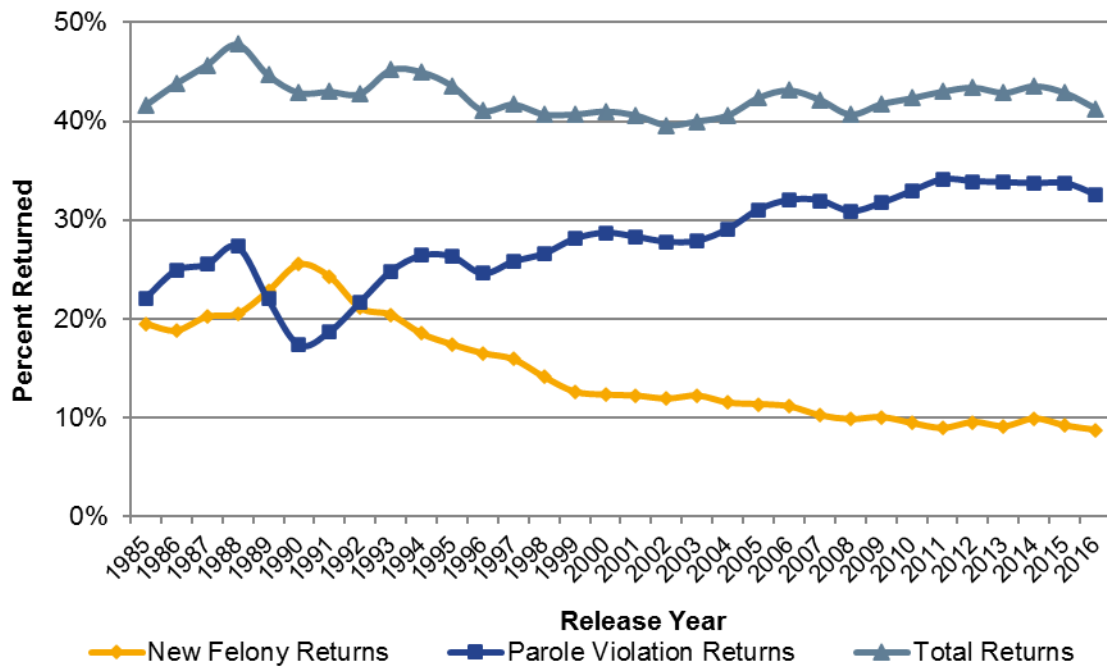
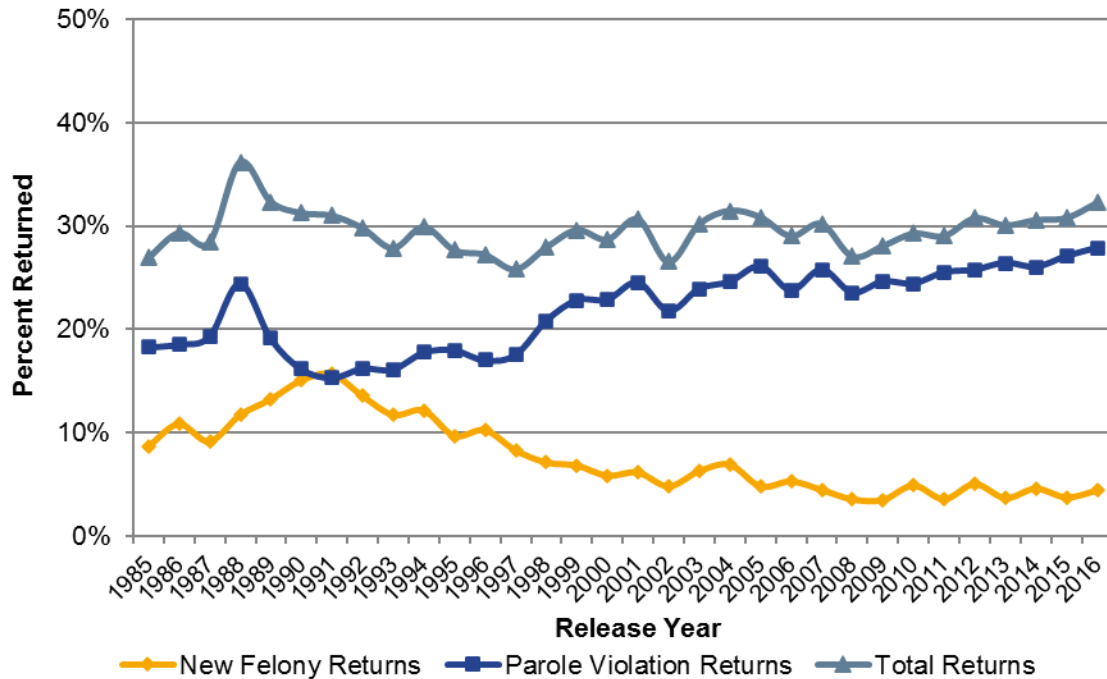


Figure 4.2
Return Rates among Female Releases: 1985-2016



SECTION FIVE: RETURN RATES BY RELEASE CRIME

Table 5 presents data on the most serious commitment crime¹¹ for releases in the 2016 cohort. Crimes are broken out by major crime categories. Violent Felony Offenses (VFOs) include legislatively-designated violent crimes that invoke certain sentencing mandates and Class A crimes. Other violent or coercive crimes are included under the heading Other Coercive Offenses. Additional major categories include Drug Offenses, Property and Other Offenses, and two headings that denote legal status for young people, Youthful Offenders and Juvenile Offenders.¹²

The total return rates were 43% for Violent Felony offenders, 39% for Other Coercive offenders, 36% for Drug offenders, 40% for Property and Other offenders, 44% for Youthful Offenders, and 44% for Juvenile Offenders.

Among individual crime categories, there were marked differences in the rates of return. Individuals convicted of offenses such as burglary and robbery tended to have the highest rates of return, with about half returning within three years of release. More specifically, the highest rates of return were observed for Other VFO Sex Offenses (58%), Burglary 2nd (52%), Arson 1st/Arson 2nd (52%), Possession of Stolen Property (52%), and Other Sex Offenses (49%). Offenders least likely to return within three years were convicted of Murder (12%), Manslaughter 2nd (21%), and Manslaughter 1st/Aggravated Manslaughter 2nd (24%).

Figure 5.1 presents return rates for selected groupings of crime categories. While individuals with crimes such as burglary, robbery, and stolen property offenses had the highest return rates, individuals released after serving time for murder and manslaughter returned at the lowest rates.

¹¹ "Most serious commitment crime" is determined by the crime with the longest maximum sentence.

¹² A "Youthful Offender" (YO) is a 14- to 18-year-old who commits a crime but is given Youthful Offender status at sentencing by the judge. A YO record is not a criminal record and is automatically sealed. A "Juvenile Offender" (JO) is a 13- to 15-year-old who commits a serious felony or other violent act. Convicted Juvenile Offenders can be punished like adults, and their record is not sealed unless the case is sent to Family Court.

Figure 5.1
Return Rates for Selected Crimes: 2016 Releases

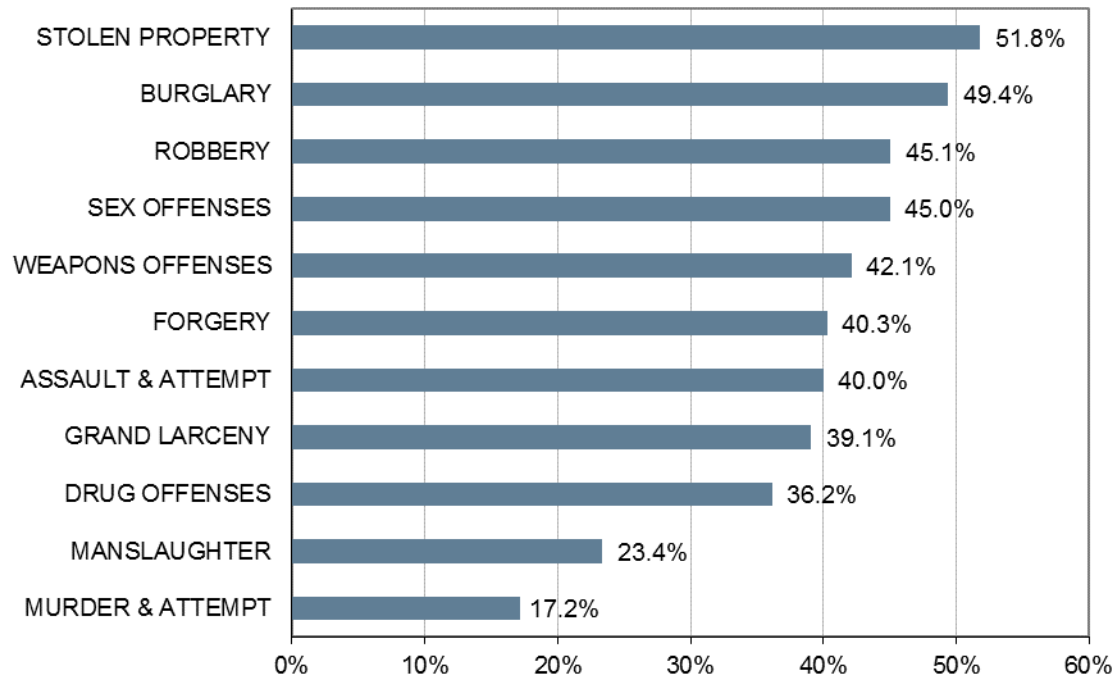
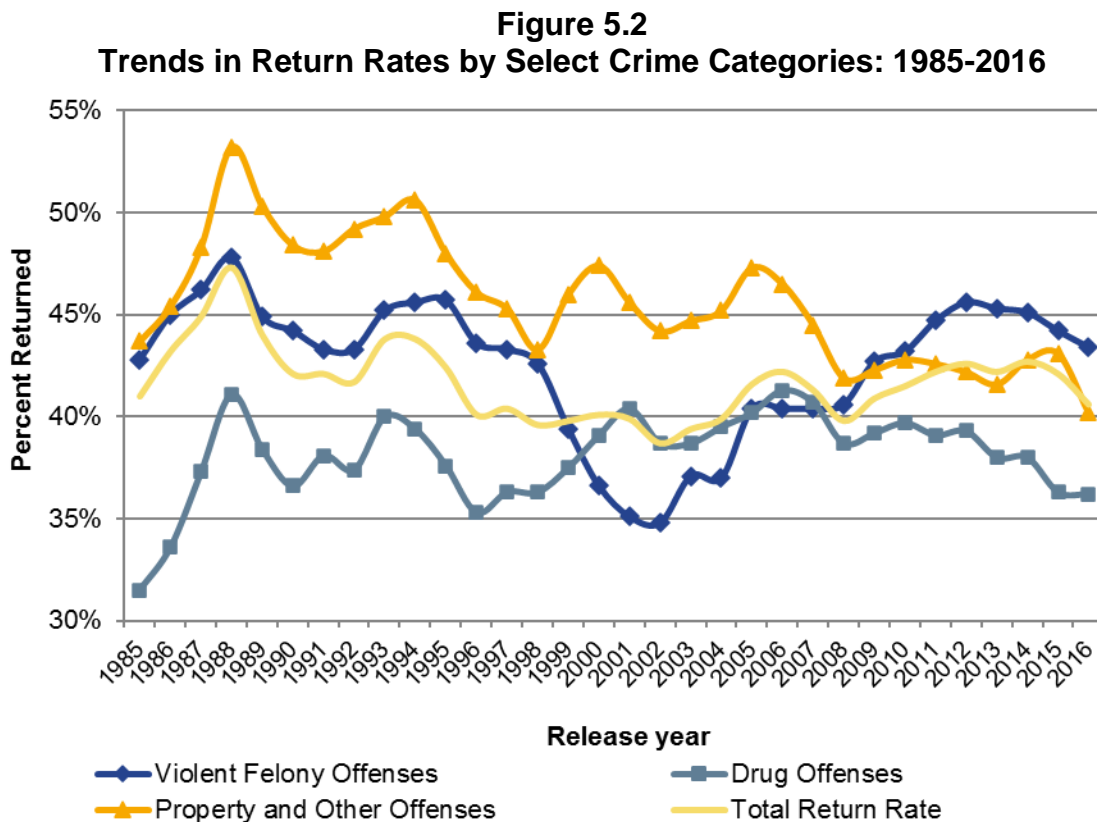


Table 5
2016 Releases: Most Serious Crime at Commitment by Return Type

MOST SERIOUS CRIME AT COMMITMENT	TOTAL RELEASED	TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
TOTAL	21,224	8,627	40.6%	1,789	8.4%	6,838	32.2%
VIOLENT FELONY	8,927	3,872	43.4%	640	7.2%	3,232	36.2%
MURDER	349	42	12.0%	5	1.4%	37	10.6%
ATTEMPT MURDER	169	47	27.8%	9	5.3%	38	22.5%
MANSLAUGHTER 1ST, AG 2ND	224	54	24.1%	8	3.6%	46	20.5%
RAPE 1ST	259	106	40.9%	4	1.5%	102	39.4%
ROBBERY 1ST	1,045	451	43.2%	80	7.7%	371	35.5%
ROBBERY 2ND	1,379	666	48.3%	134	9.7%	532	38.6%
ASSAULT 1ST	460	168	36.5%	40	8.7%	128	27.8%
ASSAULT 2ND	752	317	42.2%	50	6.6%	267	35.5%
BURGLARY 1ST	214	94	43.9%	16	7.5%	78	36.4%
BURGLARY 2ND	1,622	850	52.4%	124	7.6%	726	44.8%
ARSON 1ST, 2ND	65	34	52.3%	5	7.7%	29	44.6%
SODOMY 1ST	146	63	43.2%	3	2.1%	60	41.1%
SEXUAL ABUSE 1,2,3	350	131	37.4%	8	2.3%	123	35.1%
WEAPONS OFFENSES	1,611	705	43.8%	141	8.8%	564	35.0%
KIDNAPPING 1ST, 2ND	39	15	38.5%	2	5.1%	13	33.3%
OTHER VFO SEX OFFENSES	185	108	58.4%	4	2.2%	104	56.2%
OTHER VIOLENT FELONY	58	21	36.2%	7	12.1%	14	24.1%
OTHER COERCIVE	2,256	873	38.7%	153	6.8%	720	31.9%
MANSLAUGHTER 2ND	80	17	21.3%	2	2.5%	15	18.8%
OTHER HOMICIDE	68	17	25.0%	3	4.4%	14	20.6%
ROBBERY 3RD	636	284	44.7%	60	9.4%	224	35.2%
ATTEMPTED ASSAULT 2ND	289	108	37.4%	26	9.0%	82	28.4%
CONSPIRACY 2,3,4	153	38	24.8%	10	6.5%	28	18.3%
OTHER WEAPONS	431	155	36.0%	34	7.9%	121	28.1%
OTHER SEX OFFENSES	400	195	48.8%	8	2.0%	187	46.8%
OTHER COERCIVE	199	59	29.6%	10	5.0%	49	24.6%
DRUG OFFENSES	4,426	1,600	36.2%	436	9.9%	1,164	26.3%
PROPERTY AND OTHER OFFENSES	4,937	1,986	40.2%	466	9.4%	1,520	30.8%
BURGLARY 3RD	1,472	690	46.9%	169	11.5%	521	35.4%
GRAND LARCENY	1,092	427	39.1%	87	8.0%	340	31.1%
FORGERY	407	164	40.3%	38	9.3%	126	31.0%
STOLEN PROPERTY	303	157	51.8%	55	18.2%	102	33.7%
DRIVE INTOXICATED	571	143	25.0%	41	7.2%	102	17.9%
CONTEMPT 1ST	284	105	37.0%	19	6.7%	86	30.3%
ALL OTHER FELONIES	808	300	37.1%	57	7.1%	243	30.1%
YOUTHFUL OFFENDER	637	278	43.6%	91	14.3%	187	29.4%
JUVENILE OFFENDER	41	18	43.9%	3	7.3%	15	36.6%

Figure 5.2 shows trends in total return rates of the annual release cohorts between 1985 and 2016, for select major crime categories and overall. Property and Other offenders consistently returned at a higher rate than offenders in the other crime categories until 2009. The return rate for Violent Felony Offenders (VFOs) decreased in the late 1990s and early 2000s and increased until 2012, then leveled off. Since 2011, the return rate for VFOs was higher than the return rate for Property and Other offenders.

Between 1996 and 2006, the return rates for drug offenders generally increased. While drug offenders returned at a lower rate than the other crime categories, their return rate exceeded the rate for violent felony offenders between 2000 and 2004. The return rate for drug offenders peaked in the 2006 release year and generally decreased thereafter. Beginning with the 2008 release cohort, drug offenders showed the lowest return rates among all crime categories.



Figures 5.3 and **5.4** illustrate some differences in return trends based on type of return. New commitment returns generally declined for every type of offender since 1990. Parole violation return rates have generally increased since 1990. The parole violation return rate among violent offenders increased from the lowest return rate crime category in the early 2000s to the highest return rate crime category beginning in 2008.

Figure 5.3
Trends in New Commitment Returns by Select Crime Categories: 1985-2016

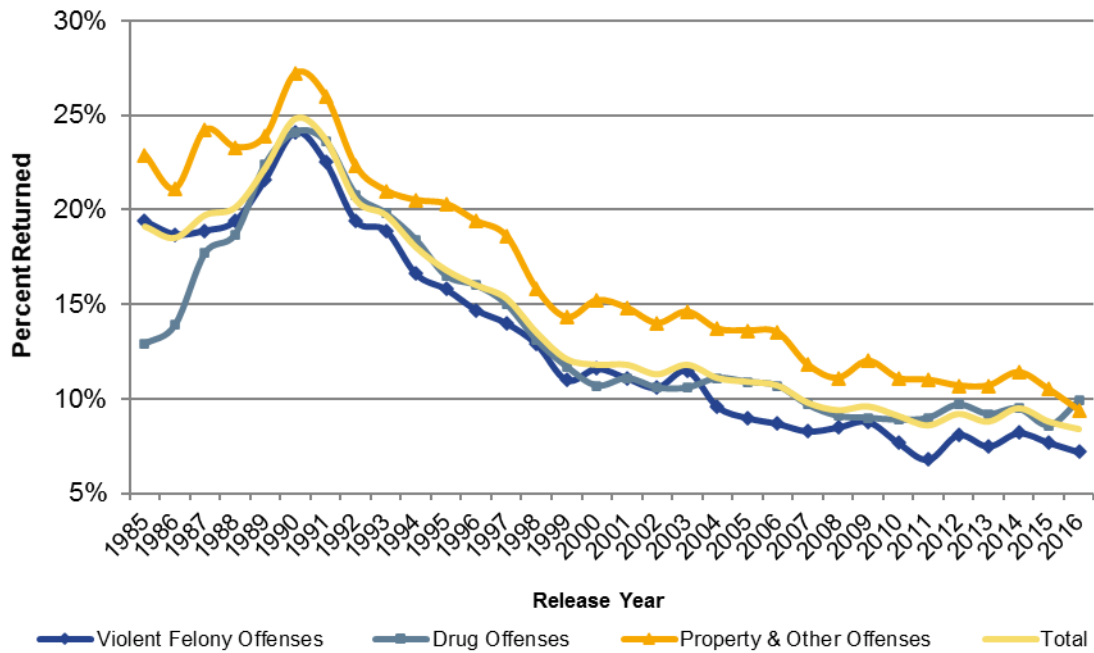
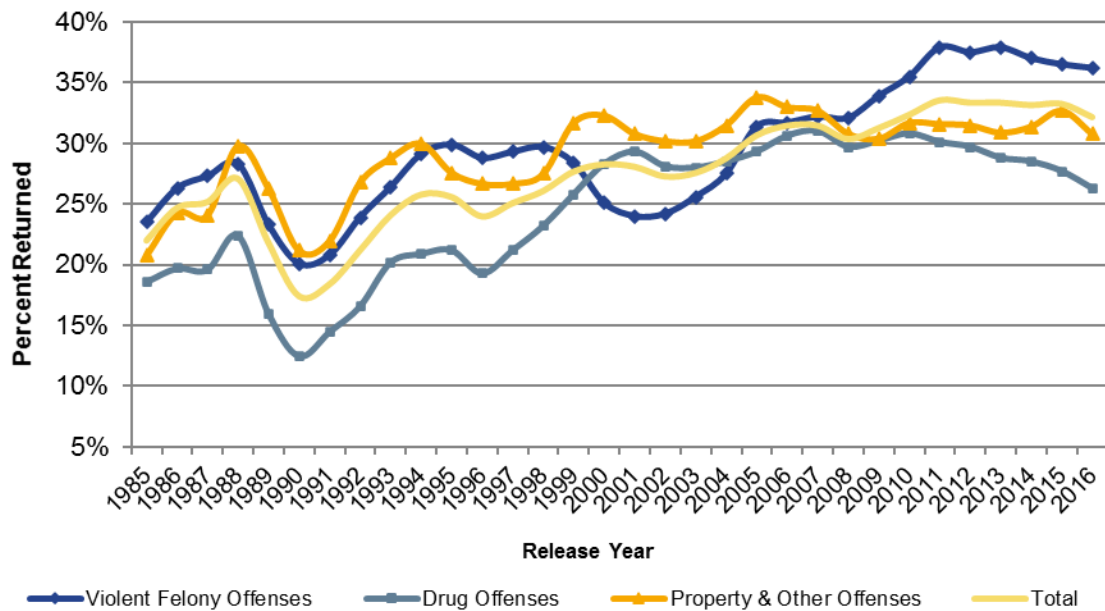


Figure 5.4
Trends in Parole Violation Returns by Select Crime Categories: 1985-2016



SECTION SIX: READMISSION CRIMES

Among the 21,224 individuals in the 2016 release cohort, 1,789 (8.4%) were returned to DOCCS' custody within three years of release following conviction for a new felony offense. **Figure 6** and **Table 6.1** present the crimes for which these individuals returned to DOCCS' custody. Thirty-two percent of the 2016 releases who returned within three years for new felony convictions were convicted of drug offenses, 28% were returned for violent felony offenses, 27% were returned for property or other offenses, and 13% were returned for other coercive offenses.

Table 6.1 also shows new commitment returns for the combined 1985-2016 release cohort. The combined release cohort most often returned for drug offenses (42%), although the return rate for drug offenses has decreased since the 1990s (see **Figure 6**). The return rate for violent felonies decreased until 1999 and increased moderately since then (28% in 2016).

The gap between the proportion of individuals returned for committing drug offenses and the proportion returned for violent offenses narrowed significantly since the mid-1990s. Among 1995 releases, 51% returned for drug offenses and 24% returned for violent offenses. Among 2016 releases, 32% returned for drug offenses and 28% returned for violent offenses. The return rate for committing other coercive offenses remained the lowest among the different crime types. **Table 6.2** shows return crimes by release crimes for the 2016 cohort.

Figure 6
Trends in Return Crime Type, 1985-2016

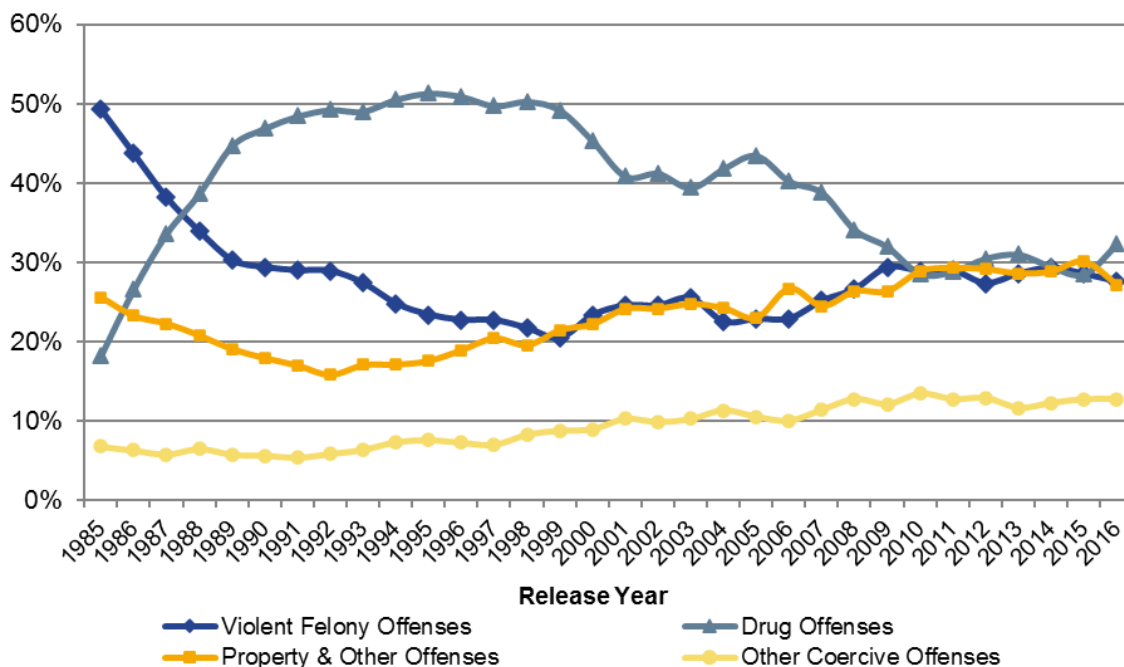


Table 6.1
Crime on Return among New Commitment Returns:
Releases in 2016 and 1985-2016

CRIME ON RETURN	2016 RELEASES RETURNED AS NEW COMMITMENT		1985-2016 RELEASES RETURNED AS NEW COMMITMENT	
	#	%	#	%
TOTAL	1,789	100.0%	103,855	100.0%
VIOLENT FELONY OFFENSES	494	27.6%	28,683	27.6%
MURDER	12	0.7%	860	0.8%
ATTEMPT MURDER	15	0.8%	486	0.5%
MANSLAUGHTER 1ST, AG 2ND	10	0.6%	445	0.4%
RAPE 1ST	5	0.3%	495	0.5%
ROBBERY 1ST	54	3.0%	5,055	4.9%
ROBBERY 2ND	71	4.0%	5,901	5.7%
ASSAULT 1ST	25	1.4%	916	0.9%
ASSAULT 2ND	46	2.6%	1,623	1.6%
BURGLARY 1ST	8	0.4%	670	0.6%
BURGLARY 2ND	94	5.3%	6,550	6.3%
ARSON 1ST, 2ND	0	0.0%	62	0.1%
SODOMY 1ST	4	0.2%	224	0.2%
SEXUAL ABUSE 1,2,3	4	0.2%	439	0.4%
WEAPONS OFFENSES	135	7.5%	4,704	4.5%
KIDNAPPING 1ST, 2ND	2	0.1%	110	0.1%
OTHER VFO SEX OFFENSES	7	0.4%	97	0.1%
OTHER VIOLENT FELONY	2	0.1%	46	<0.1%
OTHER COERCIVE OFFENSES	229	12.8%	8,902	8.6%
MANSLAUGHTER 2ND	3	0.2%	81	0.1%
OTHER HOMICIDE	0	0.0%	40	<0.1%
ROBBERY 3RD	80	4.5%	4,428	4.3%
ATTEMPT ASSAULT 2ND	43	2.4%	1,351	1.3%
CONSPIRACY 2,3,4	16	0.9%	280	0.3%
OTHER WEAPONS	49	2.7%	1,316	1.3%
OTHER SEX OFFENSES	21	1.2%	672	0.6%
OTHER COERCIVE	17	1.0%	734	0.7%
DRUG OFFENSES	578	32.3%	43,529	41.9%
PROPERTY & OTHER OFFENSES	487	27.2%	22,727	21.9%
BURGLARY 3RD	141	7.9%	8,519	8.2%
GRAND LARCENY	115	6.4%	5,592	5.4%
FORGERY	35	2.0%	1,696	1.6%
STOLEN PROPERTY	38	2.1%	3,304	3.2%
DRIVE INTOXICATED	33	1.8%	1,224	1.2%
CONTEMPT 1ST	17	1.0%	428	0.4%
ALL OTHER FELONIES	108	6.0%	1,964	1.9%
YOUTHFUL OFFENDERS	0	0.0%	6	<0.1%
JUVENILE OFFENDERS	1	0.1%	6	<0.1%
DATA NOT AVAILABLE	0	0.0%	2	<0.1%

Table 6.2 (Part I)
2016 Releases Returned as New Felony Commitments by Original Crime and Return Crime

ORIGINAL COMMITMENT CRIME (AT RELEASE)	GRAND TOTAL	CRIME ON RETURN											
		MURDER & ATTEMPT	MANSL 1ST	RAPE 1ST	ROB 1ST & 2ND	ASSAULT 1ST & 2ND	BURG 1ST & 2ND	SODOMY 1ST	SEXUAL ABUSE 1,2,3	WEAPONS OFFENSES	KIDNAP 1ST & 2ND	OTHER VFO SEX OFF	OTHER VIOLENT FELONY
GRAND TOTAL	1,789	27	10	5	125	71	102	4	4	135	2	7	2
VIOLENT FELONY	640	14	4	2	55	35	35	2	1	60	1	3	0
MURDER & ATTEMPT	14	2	1	0	2	0	0	0	0	4	0	0	0
MANSLAUGHTER 1ST	8	0	0	0	0	1	0	0	0	0	0	0	0
RAPE 1ST	4	0	0	0	1	0	0	0	0	1	0	0	0
ROB 1ST & 2ND	214	4	1	2	28	11	6	1	0	15	0	0	0
ASSAULT 1ST & 2ND	90	2	1	0	7	11	3	1	0	4	0	0	0
BURG 1ST & 2ND	140	3	0	0	9	8	23	0	1	5	0	2	0
ARSON 1ST & 2ND	5	0	0	0	1	0	0	0	0	1	0	0	0
SODOMY 1ST	3	0	0	0	0	1	0	0	0	0	0	0	0
SEXUAL ABUSE 1,2,3	8	0	0	0	1	0	0	0	0	0	0	0	0
WEAPONS OFFENSES	141	3	1	0	6	3	2	0	0	29	0	0	0
KIDNAPPING 1ST & 2ND	2	0	0	0	0	0	0	0	0	1	1	0	0
OTHER VFO SEX OFF	4	0	0	0	0	0	0	0	0	0	0	1	0
OTHER VIOLENT FELONY	7	0	0	0	0	0	1	0	0	0	0	0	0
OTHER COERCIVE	153	3	3	0	14	10	3	0	1	10	0	1	0
MANSLAUGHTER 2ND	2	0	0	0	0	0	0	0	0	0	0	0	0
OTHER HOMICIDE	3	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY 3RD	60	2	1	0	9	3	1	0	1	1	0	0	0
ATTEMPTED ASSAULT 2ND	26	0	0	0	1	5	0	0	0	2	0	0	0
CONSPIRACY 2,3,4	10	0	1	0	0	0	0	0	0	1	0	0	0
OTHER WEAPONS	34	1	1	0	3	2	1	0	0	5	0	0	0
OTHER SEX OFFENSES	8	0	0	0	0	0	0	0	0	0	0	1	0
OTHER COERCIVE	10	0	0	0	1	0	1	0	0	1	0	0	0
DRUG OFFENSES	436	2	0	1	15	9	13	0	1	32	1	0	1
PROPERTY AND OTHER OFFENSES	466	4	2	2	26	15	44	2	1	15	0	2	1
BURGLARY 3RD	169	2	0	0	7	8	25	1	1	6	0	1	0
GRAND LARCENY	87	0	0	0	7	3	5	0	0	1	0	0	1
FORGERY	38	0	0	0	2	0	3	0	0	0	0	0	0
STOLEN PROPERTY	55	0	1	1	5	0	7	0	0	2	0	1	0
DRIVE INTOXICATED	41	1	0	0	1	0	0	0	0	1	0	0	0
CONTEMPT 1ST	19	1	0	0	1	1	1	1	0	0	0	0	0
ALL OTHER FELONIES	57	0	1	1	3	3	3	0	0	5	0	0	0
YOUTHFUL OFFENDER	91	4	1	0	15	2	7	0	0	18	0	1	0
JUVENILE OFFENDER	3	0	0	0	0	0	0	0	0	0	0	0	0

Table 6.2 (Part II)
2016 Releases Returned as New Felony Commitments by Original Crime and Return Crime

	CRIME ON RETURN																
ORIGINAL COMMITMENT CRIME (AT RELEASE)	MANSL 2ND	ROB 3RD	ATT ASSAULT 2ND	CONSPIR 2,3,4	OTHER WEAPONS	OTHER SEX OFFENSES	OTHER COERCIVE	DRUGS	BURG 3RD	GRAND LARCENY	FORGERY	STOLEN PROPERTY	DWI	CONTEMPT 1ST	ALL OTHER FELONIES	JUVENILE OFF	
GRAND TOTAL	3	80	43	16	49	21	17	578	141	115	35	38	33	17	108	1	
VIOLENT FELONY	0	38	23	4	25	13	10	175	38	38	17	9	4	4	29	1	
MURDER & ATTEMPT	0	1	0	0	0	0	0	2	1	1	0	0	0	0	0	0	
MANSLAUGHTER 1ST	0	1	0	0	2	0	0	2	0	1	1	0	0	0	0	0	
RAPE 1ST	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	
ROB 1ST & 2ND	0	23	8	1	8	3	1	54	7	17	9	3	2	0	10	0	
ASSAULT 1ST & 2ND	0	4	10	1	5	2	3	20	4	6	1	0	0	2	3	0	
BURG 1ST & 2ND	0	4	2	0	2	1	2	30	25	8	4	4	1	1	5	0	
ARSON 1ST & 2ND	0	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	
SODOMY 1ST	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	
SEXUAL ABUSE 1,2,3	0	2	0	0	0	1	0	0	0	0	0	0	0	0	4	0	
WEAPONS OFFENSES	0	2	1	2	7	3	3	66	1	3	2	1	1	0	4	1	
KIDNAPPING 1ST & 2ND	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
OTHER VFO SEX OFF	0	0	1	0	1	0	0	0	0	1	0	0	0	0	0	0	
OTHER VIOLENT FELONY	0	0	1	0	0	1	0	0	0	1	0	1	0	1	1	0	
OTHER COERCIVE	0	15	5	1	4	4	2	37	10	12	1	0	1	1	15	0	
MANSLAUGHTER 2ND	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	
OTHER HOMICIDE	0	0	1	0	0	0	0	1	0	0	0	0	1	0	0	0	
ROBBERY 3RD	0	12	2	0	1	0	0	11	6	6	0	0	0	1	3	0	
ATTEMPTED ASSAULT 2ND	0	0	1	0	0	1	1	4	2	2	0	0	0	0	7	0	
CONSPIRACY 2,3,4	0	0	0	0	1	0	0	5	0	1	1	0	0	0	0	0	
OTHER WEAPONS	0	3	0	1	1	1	0	13	0	1	0	0	0	0	1	0	
OTHER SEX OFFENSES	0	0	0	0	0	2	1	0	1	1	0	0	0	0	2	0	
OTHER COERCIVE	0	0	0	0	0	0	0	3	1	1	0	0	0	0	2	0	
DRUG OFFENSES	0	10	11	5	9	0	3	279	9	10	2	2	4	1	16	0	
PROPERTY AND OTHER OFFENSES	3	13	3	3	7	4	2	70	77	51	13	26	24	11	45	0	
BURGLARY 3RD	0	6	2	1	2	2	0	25	55	11	0	5	2	1	6	0	
GRAND LARCENY	0	4	1	0	1	0	1	10	12	22	1	10	1	1	6	0	
FORGERY	0	1	0	1	1	0	0	4	2	6	8	2	0	0	8	0	
STOLEN PROPERTY	1	1	0	1	2	0	0	10	4	8	1	5	1	1	3	0	
DRIVE INTOXICATED	1	1	0	0	0	1	1	7	1	1	1	2	19	0	3	0	
CONTEMPT 1ST	1	0	0	0	0	0	0	3	1	2	0	0	0	4	3	0	
ALL OTHER FELONIES	0	0	0	0	1	1	0	11	2	1	2	2	1	4	16	0	
YOUTHFUL OFFENDER	0	3	1	3	3	0	0	16	7	4	2	1	0	0	3	0	
JUVENILE OFFENDER	0	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0	

SECTION SEVEN: RETURN RATES BY AGE AT RELEASE

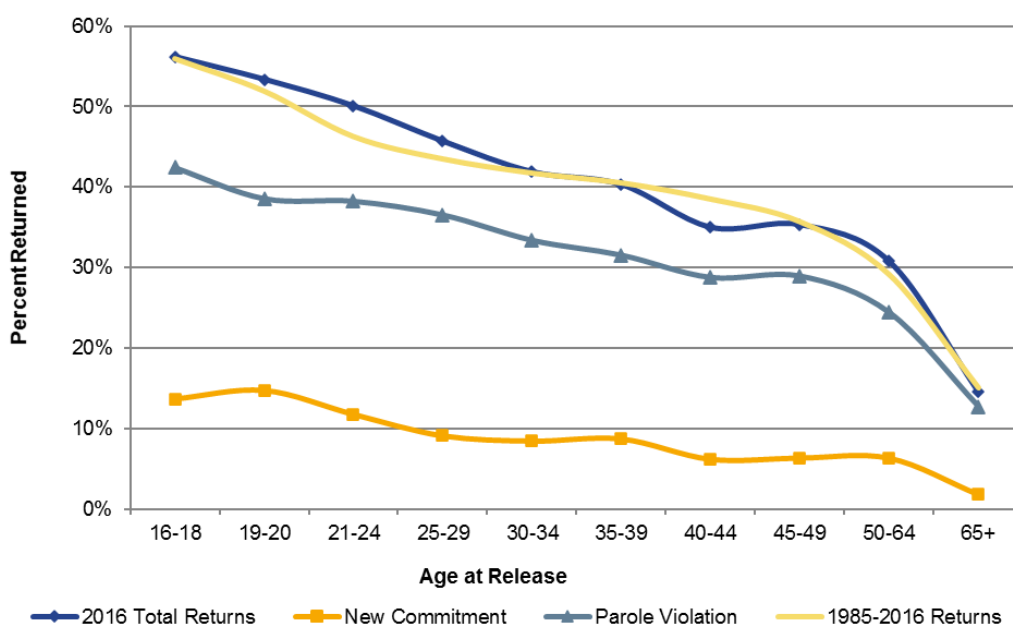
The relationship between return rates and age at time of release is illustrated in **Figure 7** and **Table 7.1**.¹³ Since 1985, the average age of releases increased, from 29 among 1985 releases, to 36 among 2016 releases.

Among 2016 releases, 54% of the individuals who were under 21 when released returned to DOCCS' custody within three years, while 40% of those 21 years old or older returned to DOCCS' custody (see **Table 7.1**). Generally, return rates declined as age at release increased, with one exception—similar to recent release cohorts, return rates slightly increased for individuals in their mid- to late-forties.

The data for the aggregate 1985-2016 cohort shows a steady decline in return rate as the age at release increases.¹⁴

Table 7.2 shows new commitment returns for the 2016 release cohort by age group. Individuals aged 50 or older who returned to prison for committing a new crime were most likely to return for committing non-violent Property and Other crimes (43%). The highest return rates for individuals under age 50 were for Drug Offenses (32%).

Figure 7
2016 Return Rates by Age at Release



¹³ Of the 2016 release cohort, 3% were under age 21. This is comparable to the composition of incarcerated individuals under custody as of December 31, 2016, when 3% of the individuals were under 21.

¹⁴ See Appendix F of the 2015 Releases from Custody Three Year Post-Release Follow-Up for data on historical release cohorts.

Table 7.1
2016 and 1985-2016 Releases: Returns by Age at Release

RELEASE TYPE BY COHORT	AGE AT TIME OF RELEASE													Data not Avail.
	TOTAL	TOTAL UNDER 21	TOTAL 21 +	16-18	19-20	21-24	25-29	30-34	35-39	40-44	45-49	50-64	65 and Over	
2016 RELEASES	21,224 100.0%	534 100.0%	20,690 100.0%	73 100.0%	461 100.0%	2,672 100.0%	4,256 100.0%	3,602 100.0%	2,968 100.0%	1,934 100.0%	2,026 100.0%	3,012 100.0%	220 100.0%	0
TOTAL RETURNED	8,627 40.6%	287 53.7%	8,340 40.3%	41 56.2%	246 53.4%	1,338 50.1%	1,945 45.7%	1,509 41.9%	1,196 40.3%	677 35.0%	716 35.3%	927 30.8%	32 14.5%	0
RETURNED: NEW COMMITMENT	1,789 8.4%	78 14.6%	1,711 8.3%	10 13.7%	68 14.8%	315 11.8%	388 9.1%	305 8.5%	259 8.7%	120 6.2%	129 6.4%	191 6.3%	4 1.8%	0
RETURNED: PAROLE VIOLATION	6,838 32.2%	209 39.1%	6,629 32.0%	31 42.5%	178 38.6%	1,023 38.3%	1,557 36.6%	1,204 33.4%	937 31.6%	557 28.8%	587 29.0%	736 24.4%	28 12.7%	0
1985-2016 RELEASES	751,404 100.0%	43,017 100.0%	708,379 100.0%	9,271 100.0%	33,746 100.0%	114,719 100.0%	155,784 100.0%	140,293 100.0%	112,403 100.0%	81,704 100.0%	52,610 100.0%	47,388 100.0%	3,478 100.0%	8
TOTAL RETURNED	312,131 41.5%	22,698 52.8%	289,432 40.9%	5,184 55.9%	17,514 51.9%	53,063 46.3%	67,741 43.5%	58,537 41.7%	45,535 40.5%	31,456 38.5%	18,775 35.7%	13,801 29.1%	524 15.1%	1 12.5%
RETURNED: NEW COMMITMENT	103,855 13.8%	8,984 20.9%	94,871 13.4%	2,022 21.8%	6,962 20.6%	20,512 17.9%	25,146 16.1%	19,718 14.1%	13,575 12.1%	8,236 10.1%	4,451 8.5%	3,118 6.6%	115 3.3%	0 0.0%
RETURNED: PAROLE VIOLATION	208,276 27.7%	13,714 31.9%	194,561 27.5%	3,162 34.1%	10,552 31.3%	32,551 28.4%	42,595 27.3%	38,819 27.7%	31,960 28.4%	23,220 28.4%	14,324 27.2%	10,683 22.5%	409 11.8%	1 12.5%

Table 7.2
Crime on Return by Release Age Among New Commitments: Releases in 2016

CRIME ON RETURN	AGE UNDER 50									AGE 50 OR +				TOTAL		
	16-18	19-20	21-24	25-29	30-34	35-39	40-44	45-49	SUBTOTAL		50-64	65 +	SUBTOTAL			
VFO	6	32	141	119	65	54	25	23	465	29.2%	28	1	29	14.9%	494	27.6%
MURDER	0	0	4	2	0	3	2	0	11	0.7%	0	1	1	0.5%	12	0.7%
ATTEMPT MURDER	1	2	4	4	0	2	0	2	15	0.9%	0	0	0	0.0%	15	0.8%
MANSLAUGHTER 1ST, AG 2ND	0	1	2	3	1	1	1	0	9	0.6%	1	0	1	0.5%	10	0.6%
RAPE 1ST	0	0	2	1	1	1	0	0	5	0.3%	0	0	0	0.0%	5	0.3%
ROBBERY 1ST	0	3	18	13	7	4	2	5	52	3.3%	2	0	2	1.0%	54	3.0%
ROBBERY 2ND	3	8	24	14	5	6	2	4	66	4.1%	5	0	5	2.6%	71	4.0%
ASSAULT 1ST	1	0	9	6	4	2	0	2	24	1.5%	1	0	1	0.5%	25	1.4%
ASSAULT 2ND	0	1	11	14	7	4	1	2	40	2.5%	6	0	6	3.1%	46	2.6%
BURGLARY 1ST	0	0	0	2	4	2	0	0	8	0.5%	0	0	0	0.0%	8	0.4%
BURGLARY 2ND	0	5	15	19	12	19	8	6	84	5.3%	10	0	10	5.1%	94	5.3%
SODOMY 1ST	0	0	0	2	1	0	1	0	4	0.3%	0	0	0	0.0%	4	0.2%
SEXUAL ABUSE 1,2,3	0	0	0	1	3	0	0	0	4	0.3%	0	0	0	0.0%	4	0.2%
WEAPONS OFFENSES	1	11	50	36	18	9	7	1	133	8.3%	2	0	2	1.0%	135	7.5%
KIDNAPPING 1ST, 2ND	0	0	1	1	0	0	0	0	2	0.1%	0	0	0	0.0%	2	0.1%
OTHER VFO SEX OFFENSES	0	1	1	1	2	1	0	0	6	0.4%	1	0	1	0.5%	7	0.4%
OTHER VIOLENT FELONY	0	0	0	0	0	0	1	1	2	0.1%	0	0	0	0.0%	2	0.4%
OTHER COERCIVE	1	14	42	54	39	30	15	13	208	13.0%	21	0	21	10.8%	229	12.8%
MANSLAUGHTER 2ND	0	0	1	1	1	0	0	0	3	0.2%	0	0	0	0.0%	3	0.2%
ROBBERY 3RD	1	3	10	13	13	11	10	9	70	4.4%	10	0	10	5.1%	80	4.5%
ATTEMPT ASSAULT 2ND	0	2	8	16	6	7	3	0	42	2.6%	1	0	1	0.5%	43	2.4%
CONSPIRACY 2,3,4	0	2	3	5	5	1	0	0	16	1.0%	0	0	0	0.0%	16	0.9%
OTHER WEAPONS	0	6	13	12	5	4	2	1	43	2.7%	6	0	6	3.1%	49	2.7%
OTHER SEX OFFENSES	0	0	5	4	4	3	0	1	17	1.1%	4	0	4	2.1%	21	1.2%
OTHER COERCIVE	0	1	2	3	5	4	0	2	17	1.1%	0	0	0	0.0%	17	1.0%
DRUG OFFENSES	0	10	73	136	118	104	41	34	516	32.4%	61	1	62	31.8%	578	32.3%
PROPERTY & OTHER	3	11	59	79	83	71	39	59	404	25.3%	81	2	83	42.6%	487	27.2%
BURGLARY 3RD	0	5	15	17	24	19	10	22	112	7.0%	28	1	29	14.9%	141	7.9%
GRAND LARCENY	1	4	13	13	15	22	11	10	89	5.6%	26	0	26	13.3%	115	6.4%
FORGERY	2	1	9	9	5	3	2	1	32	2.0%	3	0	3	1.5%	35	2.0%
STOLEN PROPERTY	0	1	3	7	5	6	5	3	30	1.9%	7	1	8	4.1%	38	2.1%
DRIVE INTOXICATED	0	0	1	5	8	2	5	5	26	1.6%	7	0	7	3.6%	33	1.8%
CONTEMPT 1ST	0	0	1	6	3	5	0	1	16	1.0%	1	0	1	0.5%	17	1.0%
ALL OTHER FELONIES	0	0	17	22	23	14	6	17	99	6.2%	9	0	9	4.6%	108	6.0%
JUVENILE OFFENDER	0	1	0	0	0	0	0	0	1	0.1%	0	0	0	0.0%	1	0.1%
TOTAL	10	68	315	388	305	259	120	129	1,594	100.0%	191	4	195	100.0%	1,789	100.0%

SECTION EIGHT: RETURN RATES BY ETHNICITY

The ethnic distribution of the 2016 and 1985-2016 release cohorts is presented below in **Table 8**. Of the 2016 releases, 45% were Black, 29% were White, and 23% were Hispanic. These percentages are similar to those of the under custody population at the end of 2016.¹⁵

The highest return rate among the 2016 cohort was found for Black releases (43%); 42% of the White and 34% of the Hispanic releases returned. Among the 1985-2016 aggregate cohort, the return rate was the highest for Black releases (45%), followed by Whites (38%) and Hispanics (37%). While the return rate among Black releases has been relatively stable since 1985, the rate among White releases has increased and the rate among Hispanic releases has decreased.¹⁶

Table 8
Race/Ethnic Status by Type of Return:
Releases in 2016 and 1985-2016

ETHNIC STATUS	TOTAL RELEASED		TOTAL RETURNED	RETURNED:		RETURNED:
	#	%		NEW COMMITMENT	PAROLE	VIOLATION
2016 RELEASES	21,224	100.0%	8,627	1,789	6,838	
% (return/release)			40.6%	8.4%		32.2%
BLACK	9,641	45.4%	4,174	914	3,260	
% (return/release)			43.3%	9.5%		33.8%
WHITE	6,058	28.5%	2,521	427	2,094	
% (return/release)			41.6%	7.0%		34.6%
HISPANIC	4,858	22.9%	1,672	403	1,269	
% (return/release)			34.4%	8.3%		26.1%
NATIVE AMERICAN	211	1.0%	100	17	83	
% (return/release)			47.4%	8.1%		39.3%
ASIAN	68	0.3%	13	3	10	
% (return/release)			19.1%	4.4%		14.7%
OTHER/UNKNOWN	388	1.8%	147	25	122	
% (return/release)			37.9%	6.4%		31.4%
1985-2016 RELEASES	751,404	100.0%	312,131	103,855	208,276	
% (return/release)			41.5%	13.8%		27.7%
BLACK	375,382	50.0%	170,619	57,051	113,568	
% (return/release)			45.5%	15.2%		30.3%
WHITE	147,708	19.7%	56,299	14,600	41,699	
% (return/release)			38.1%	9.9%		28.2%
HISPANIC	217,296	28.9%	81,290	31,228	50,062	
% (return/release)			37.4%	14.4%		23.0%
NATIVE AMERICAN	2,460	0.3%	1,197	249	948	
% (return/release)			48.7%	10.1%		38.5%
ASIAN	1,504	0.2%	254	63	191	
% (return/release)			16.9%	4.2%		12.7%
OTHER/UNKNOWN	7,054	0.9%	2,472	664	1,808	
% (return/release)			35.0%	9.4%		25.6%

¹⁵ At the end of 2016, 48% of the individuals under custody were Black, 25% were White, 24% were Hispanic, and 3% were other ethnicities.

¹⁶ See Appendix G of the 2015 Releases from Custody Three Year Post-Release Follow-Up for historical release cohorts.

SECTION NINE: RETURN RATES BY CRIMINAL HISTORY

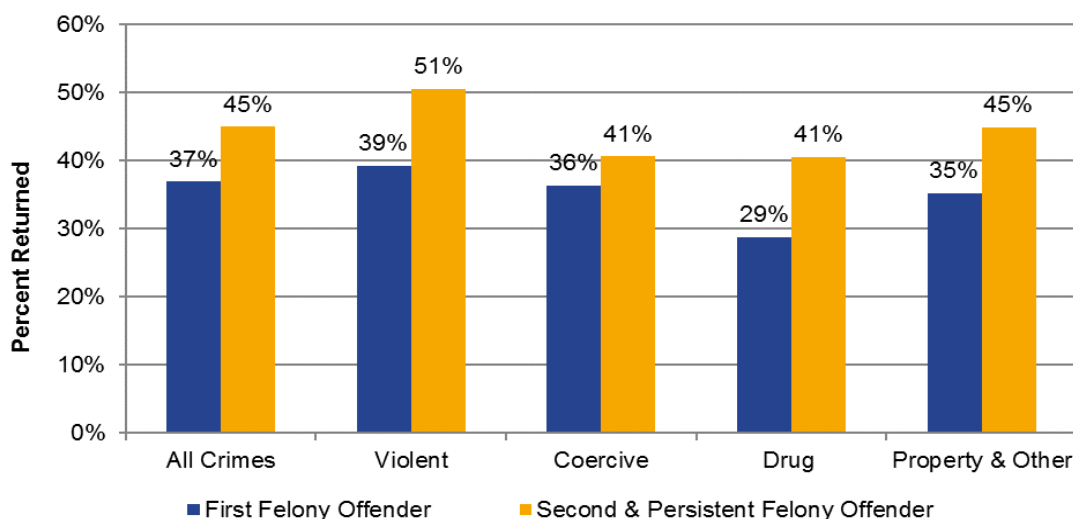
PREDICATE FELONY OFFENDERS

Since 1973, New York State law has provided more severe penalties for a person convicted as a second felony offender. The basic provisions of the second felony offender law mandated an indeterminate prison sentence with a minimum term equal to one-half of the maximum (compared to a limit of one-third the maximum for first felony offenders). In 1995, the New York State Legislature passed the Sentencing Reform Act, which increased the minimum sentence length for first-time violent felons from one-third to one-half of the maximum sentence and imposed a determinate sentencing structure for repeat violent felons. In 1998, the Legislature extended the determinate sentencing to first felony violent offenders and added a period of post-release supervision for violent offenders ranging from one to five years. In 2004, the Legislature again extended determinate sentencing to drug offenders.

Approximately 46% of the 2016 releases were originally sentenced as second or persistent felony offenders. Second felony offenders in the 2016 cohort had a higher return rate (45%) than first felony offenders (37%), both overall and within all four crime categories.

Below, **Figure 9** summarizes return data for broad crime categories by felony offender status. More detailed crime information is presented in **Table 9.1** on the following page. The highest rate of return for second felony offenders was found for releases who committed Violent Felony Offenses (51%). Among first felony offenders, the highest rate of return was also found for Violent Felony Offenses (39%).¹⁷

Figure 9
Return Rates by Felony Offender Status and Crime Category, 2016 Releases



¹⁷ Youthful Offenders and Juvenile Offenders can only be sentenced as first felony offenders.

Table 9.1
2016 Releases: Returns by Felony Offender Status

MOST SERIOUS COMMITMENT CRIME	TOTAL RELEASED	FIRST FELONY*			SECOND & PERSISTENT FELONY		
		RELEASED #	RETURNED #	%	RELEASED #	RETURNED #	%
TOTAL	21,224	11,405	4,208	36.9%	9,819	4,419	45.0%
VIOLENT FELONY OFFENSES	8,927	5,672	2,227	39.3%	3,255	1,645	50.5%
MURDER	349	349	42	12.0%	0	0	NA
ATTEMPT MURDER	169	111	27	24.3%	58	20	34.5%
MANSLAUGHTER 1ST, AG 2ND	224	165	37	22.4%	59	17	28.8%
RAPE 1ST	259	186	70	37.6%	73	36	49.3%
ROBBERY 1ST	1,045	623	280	44.9%	422	171	40.5%
ROBBERY 2ND	1,379	777	357	45.9%	602	309	51.3%
ASSAULT 1ST	460	324	106	32.7%	136	62	45.6%
ASSAULT 2ND	752	431	141	32.7%	321	176	54.8%
BURGLARY 1ST	214	131	51	38.9%	83	43	51.8%
BURGLARY 2ND	1,622	887	419	47.2%	735	431	58.6%
ARSON 1ST, 2ND	65	45	20	44.4%	20	14	70.0%
SODOMY 1ST	146	117	51	43.6%	29	12	41.4%
SEXUAL ABUSE 1,2,3	350	291	104	35.7%	59	27	45.8%
WEAPONS OFFENSES	1,611	1014	416	41.0%	597	289	48.4%
KIDNAPPING 1ST, 2ND	39	30	11	36.7%	9	4	44.4%
OTHER VFO SEX OFFENSES	185	150	82	54.7%	35	26	74.3%
OTHER VIOLENT FELONY	58	41	13	31.7%	17	8	47.1%
OTHER COERCIVE OFFENSES	2,256	1,012	368	36.4%	1,244	505	40.6%
MANSLAUGHTER 2ND	80	56	9	16.1%	24	8	33.3%
OTHER HOMICIDE	68	59	13	22.0%	9	4	44.4%
ROBBERY 3RD	636	230	102	44.3%	406	182	44.8%
ATTEMPT ASSAULT 2ND	289	66	21	31.8%	223	87	39.0%
CONSPIRACY 2,3,4	153	89	25	28.1%	64	13	20.3%
OTHER WEAPONS	431	117	33	28.2%	314	122	38.9%
OTHER SEX OFFENSES	400	290	139	47.9%	110	56	50.9%
OTHER COERCIVE	199	105	26	24.8%	94	33	35.1%
DRUG OFFENSES	4,426	1,661	478	28.8%	2,765	1,122	40.6%
PROPERTY & OTHER OFFENSES	4,937	2,382	839	35.2%	2,555	1,147	44.9%
BURGLARY 3RD	1,472	576	266	46.2%	896	424	47.3%
GRAND LARCENY	1,092	446	144	32.3%	646	283	43.8%
FORGERY	407	149	53	35.6%	258	111	43.0%
STOLEN PROPERTY	303	99	44	44.4%	204	113	55.4%
DRIVE INTOXICATED	571	568	143	25.2%	3	0	0.0%
CONTEMPT 1ST	284	99	35	35.4%	185	70	37.8%
ALL OTHER FELONIES	808	445	154	34.6%	363	146	40.2%
YOUTHFUL OFFENDER	637	637	278	43.6%	0	0	NA
JUVENILE OFFENDER	41	41	18	43.9%	0	0	NA

* Includes those sentenced as first felony offenders and Class A felons not subject to predicate sentencing.

PRIOR FELONY CONVICTIONS

Table 9.2 presents return rates among individuals with varying numbers of prior felony convictions accumulated before they were admitted to DOCCS' custody for the current offense. Among the 2016 releases, the highest return rate within three years was for those with two or three prior convictions (44%), compared to 38% of those with no prior conviction. Those with three prior convictions were the most likely to return for new commitments (11%) and those with two prior convictions were the most likely to return for parole violations (35%).

Table 9.2
2016 Releases: Number of Prior Felony Convictions by Type of Return

NUMBER OF PRIOR FELONY CONVICTIONS	TOTAL RELEASED		TOTAL RETURNED	RETURNED: NEW COMMITMENT	RETURNED: PAROLE VIOLATION
	#	%			
TOTAL	21,224	100.0%	8,627	1,789	6,838
<i>% (return/release)</i>			<i>40.6%</i>	<i>8.4%</i>	<i>32.2%</i>
NONE	8,825	41.6%	3,315	624	2,691
<i>% (return/release)</i>			<i>37.6%</i>	<i>7.1%</i>	<i>30.5%</i>
ONE PRIOR CONVICTION	5,222	24.6%	2,192	441	1,751
<i>% (return/release)</i>			<i>42.0%</i>	<i>8.4%</i>	<i>33.5%</i>
TWO PRIOR CONVICTIONS	3,048	14.4%	1,329	265	1,064
<i>% (return/release)</i>			<i>43.6%</i>	<i>8.7%</i>	<i>34.9%</i>
THREE PRIOR CONVICTIONS	1,734	8.2%	756	198	558
<i>% (return/release)</i>			<i>43.6%</i>	<i>11.4%</i>	<i>32.2%</i>
FOUR OR MORE	2,395	11.3%	1,035	261	774
<i>% (return/release)</i>			<i>43.2%</i>	<i>10.9%</i>	<i>32.3%</i>

SECTION TEN: RETURN RATES BY FIRST OR PREVIOUS RELEASE

Table 10 presents a breakdown of first releases and individuals who had prior releases on their sentences for 2016 and 1985-2016 aggregate release cohorts.¹⁸ In the 2016 release year, 62% of releases were first releases to the community, and 38% had been previously released from DOCCS. As shown in the table, individuals who had no prior releases on their sentence were less likely to return than individuals who had been previously released and returned (35% vs. 50%). These differences held for both new commitment and parole violator returns, and for the 1985-2016 releases.

Table 10
Returns among First and Previous Releases
Releases in 2016 and 1985-2016

RELEASE STATUS	TOTAL RELEASED		TOTAL RETURNED	RETURNED:	
	#	%		NEW COMMITMENT	PAROLE VIOLATION
2016 RELEASES	21,224	100.0%	8,627	1,789	6,838
% (return/release)			40.6%	8.4%	32.2%
FIRST RELEASE	13,189	62.1%	4,598	948	3,650
% (return/release)			34.9%	7.2%	27.7%
PREVIOUS RELEASE	8,035	37.9%	4,029	841	3,188
% (return/release)			50.1%	10.5%	39.7%
1985-2016 RELEASES	751,404	100.0%	312,131	103,855	208,276
% (return/release)			41.5%	13.8%	27.7%
FIRST RELEASE	505,436	67.3%	189,434	63,396	126,038
% (return/release)			37.5%	12.5%	24.9%
PREVIOUS RELEASE	245,968	32.7%	122,697	40,459	82,238
% (return/release)			49.9%	16.4%	33.4%

Trends in returns by prior release are shown in **Figure 10.1**, **Figure 10.2**, and **Figure 10.3**. The difference in return rates between first and previous releases has been consistent for new commitment returns over time. However, the gap in parole violation returns between first and previous releases widened considerably beginning with the 1992 cohort.

¹⁸ In this section, only prior releases on the sentence for which the individual was under custody are considered; previous sentences and their corresponding releases, if any, are not included.

Figure 10.1
Total Return Rates among First and Previous Releases, 1985-2016

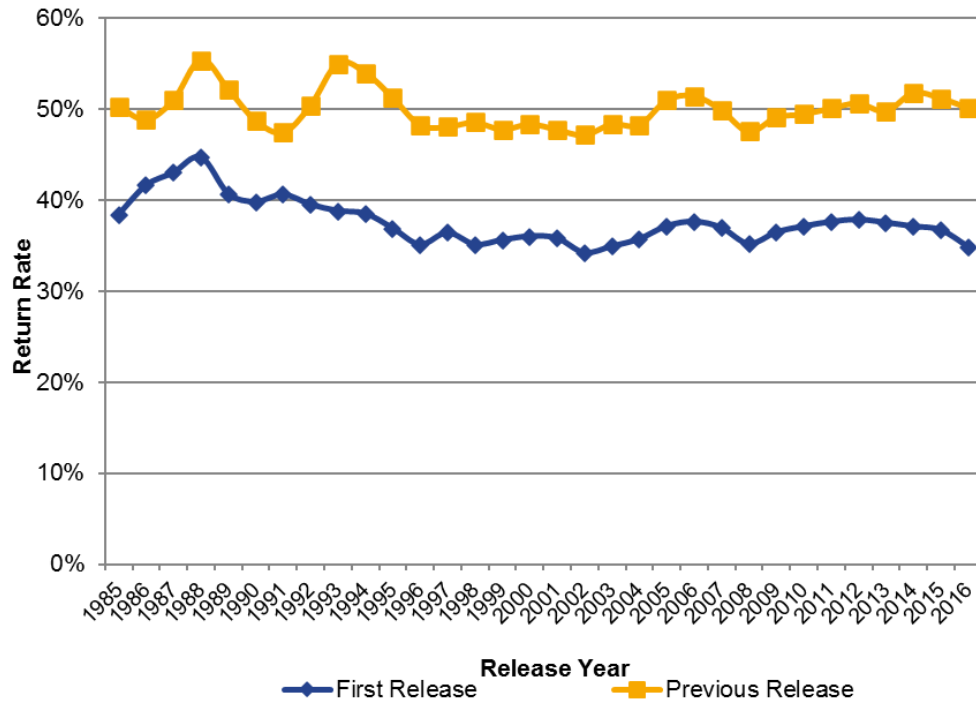


Figure 10.2
Parole Violation Return Rates among First and Previous Releases, 1985-2016

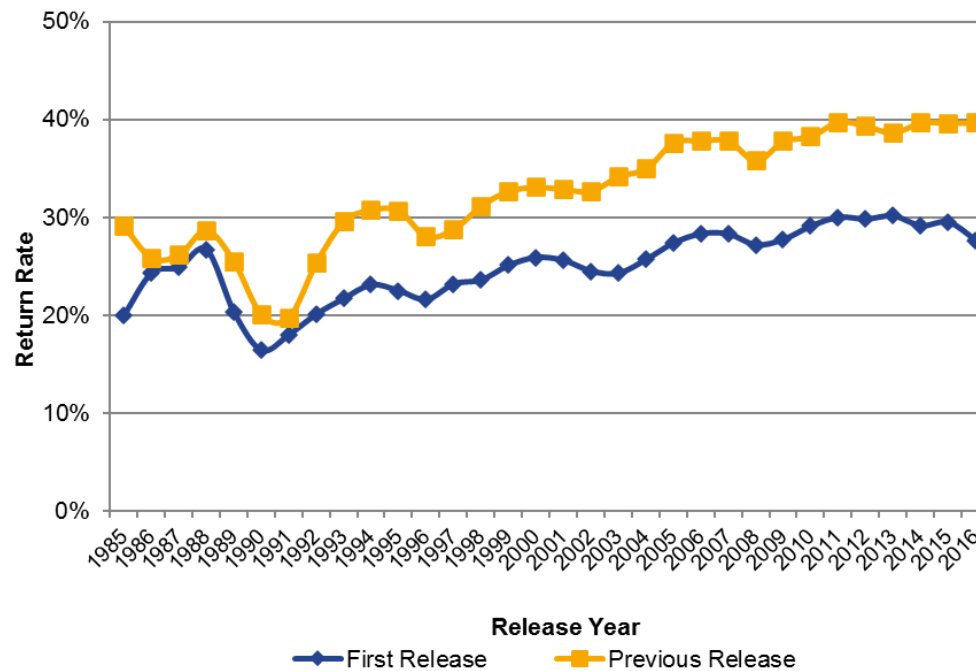
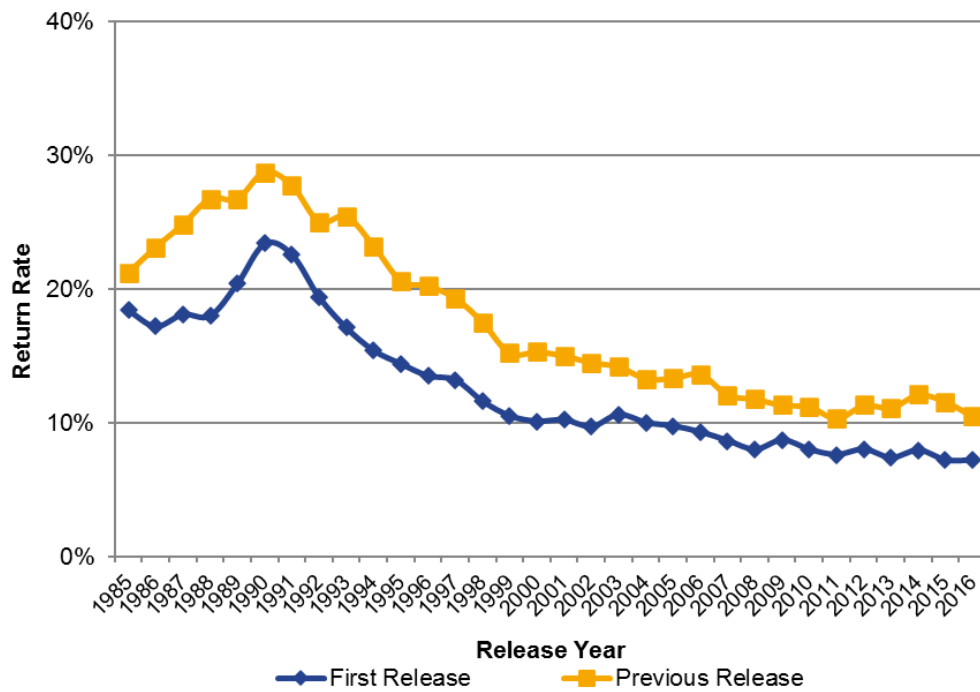


Figure 10.3
New Commitment Return Rates among First and Previous Releases, 1985-2016



SECTION ELEVEN: RETURN RATES BY REGION

Forty percent of the 2016 study population was originally committed from one of the five counties of New York City. Upstate Urban counties accounted for an additional 23%; 11% were committed from Suburban New York City counties, and the remaining 26% were committed from other areas of the state.

Among the 2016 releases, individuals from Upstate Urban counties had the highest return rate. Overall, 51% of the releases committed from Upstate Urban counties returned, compared to 45% of those from non-urban upstate (“Other New York State”) counties, 38% of releases from Suburban New York City, and 33% of the releases from New York City.

New conviction return rates varied narrowly among the regional groupings: ranging from 8% to 10%. Rockland county had the lowest new conviction return rate (5%), while Schenectady had the highest new conviction return rate (14%).

Most of the Upstate Urban counties also had relatively high parole violation return rates, with an overall violator return rate of 41%, compared to 37% for Other New York State counties, 30% among the releases committed from Suburban New York City, and 24% for releases from New York City. Commitment counties with the highest violator return rates included Monroe (44%) and Erie (44%), both of which are Upstate Urban counties, while Queens had the lowest rate (22%), followed closely by Richmond.

Trends in three-year return rates observed for the annual release cohorts differ by type of return and region, as presented in **Figures 11.1** through **11.4**. As shown in **Figure 11.1**, parole violator return rates among New York City commitments increased dramatically in the 1990s, almost doubling over the time period, while new commitment return rates had an equally dramatic drop. The total return rate has remained at around 40% over the last twenty years.

Among Suburban New York City counties, the return rate for parole violations increased since the late 1990s, with a sharp increase since 2008, while the rate for new commitments generally decreased. In Upstate Urban counties, the return rates for parole violations increased over the last ten years, while new commitment return rates decreased slightly. Among Upstate Urban releases, the gap between parole violator returns and new commitment returns increased sharply between 2009 and 2016. Among Other New York State counties, in the last ten years, the return rates for parole violations increased slightly, while the new commitment return rates decreased slightly (see **Figures 11.2, 11.3** and **11.4**).

Table 11
County of Commitment by Type of Return:
Releases in 2016 and 1985-2016

REGION OF COMMITMENT	TOTAL RELEASED		TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
	#	%	#	%	#	%	#	%
2016 RELEASES	21,224	100.0%	8,627	40.6%	1,789	8.4%	6,838	32.2%
NEW YORK CITY	8,462	39.9%	2,785	32.9%	715	8.4%	2,070	24.5%
BRONX COUNTY	1,503	7.1%	551	36.7%	114	7.6%	437	29.1%
KINGS COUNTY	1,857	8.7%	610	32.8%	147	7.9%	463	24.9%
NEW YORK COUNTY	3,370	15.9%	1,104	32.8%	310	9.2%	794	23.6%
QUEENS COUNTY	1,508	7.1%	443	29.4%	116	7.7%	327	21.7%
RICHMOND COUNTY	224	1.1%	77	34.4%	28	12.5%	49	21.9%
SUBURBAN NYC	2,306	10.9%	873	37.9%	177	7.7%	696	30.2%
NASSAU	701	3.3%	277	39.5%	56	8.0%	221	31.5%
ROCKLAND	150	0.7%	54	36.0%	8	5.3%	46	30.7%
SUFFOLK	978	4.6%	391	40.0%	86	8.8%	305	31.2%
WESTCHESTER	477	2.2%	151	31.7%	27	5.7%	124	26.0%
UPSTATE URBAN	4,986	23.5%	2,519	50.5%	486	9.7%	2,033	40.8%
ALBANY	693	3.3%	336	48.5%	77	11.1%	259	37.4%
BROOME	406	1.9%	212	52.2%	38	9.4%	174	42.9%
ERIE	978	4.6%	508	51.9%	82	8.4%	426	43.6%
MONROE	1,245	5.9%	650	52.2%	100	8.0%	550	44.2%
ONEIDA	449	2.1%	188	41.9%	50	11.1%	138	30.7%
ONONDAGA	724	3.4%	376	51.9%	79	10.9%	297	41.0%
RENSSELAER	203	1.0%	98	48.3%	21	10.3%	77	37.9%
SCHENECTADY	288	1.4%	151	52.4%	39	13.5%	112	38.9%
OTHER NEW YORK STATE	5,470	25.8%	2,450	44.8%	411	7.5%	2,039	37.3%
1985-2016 RELEASES	751,404	100.0%	312,131	41.5%	103,855	13.8%	208,276	27.7%
NEW YORK CITY	446,596	59.4%	181,790	40.7%	68,355	15.3%	113,435	25.4%
BRONX COUNTY	95,404	12.7%	38,320	40.2%	13,179	13.8%	25,141	26.4%
KINGS COUNTY	100,848	13.4%	40,942	40.6%	14,516	14.4%	26,426	26.2%
NEW YORK COUNTY	172,006	22.9%	73,233	42.6%	29,063	16.9%	44,170	25.7%
QUEENS COUNTY	69,140	9.2%	25,564	37.0%	10,393	15.0%	15,171	21.9%
RICHMOND COUNTY	9,198	1.2%	3,731	40.6%	1,204	13.1%	2,527	27.5%
SUBURBAN NYC	82,643	11.0%	32,329	39.1%	10,903	13.2%	21,426	25.9%
NASSAU	26,358	3.5%	9,957	37.8%	3,831	14.5%	6,126	23.2%
ROCKLAND	5,344	0.7%	1,756	32.9%	608	11.4%	1,148	21.5%
SUFFOLK	31,294	4.2%	13,334	42.6%	3,902	12.5%	9,432	30.1%
WESTCHESTER	19,647	2.6%	7,282	37.1%	2,562	13.0%	4,720	24.0%
UPSTATE URBAN	116,180	15.5%	53,983	46.5%	13,896	12.0%	40,087	34.5%
ALBANY	17,116	2.3%	7,350	42.9%	2,057	12.0%	5,293	30.9%
BROOME	8,559	1.1%	3,993	46.7%	919	10.7%	3,074	35.9%
ERIE	23,749	3.2%	11,289	47.5%	2,505	10.5%	8,784	37.0%
MONROE	26,856	3.6%	13,116	48.8%	3,351	12.5%	9,765	36.4%
ONEIDA	10,161	1.4%	4,391	43.2%	1,370	13.5%	3,021	29.7%
ONONDAGA	16,591	2.2%	7,875	47.5%	2,111	12.7%	5,764	34.7%
RENSSELAER	5,285	0.7%	2,416	45.7%	633	12.0%	1,783	33.7%
SCHENECTADY	7,863	1.0%	3,553	45.2%	950	12.1%	2,603	33.1%
OTHER NEW YORK STATE	105,711	14.1%	43,929	41.6%	10,665	10.1%	33,264	31.5%
DATA NOT AVAILABLE	274	<0.1%	100	36.5%	36	13.1%	64	23.4%

Figure 11.1
Trends in Return Rates: New York City Commitments

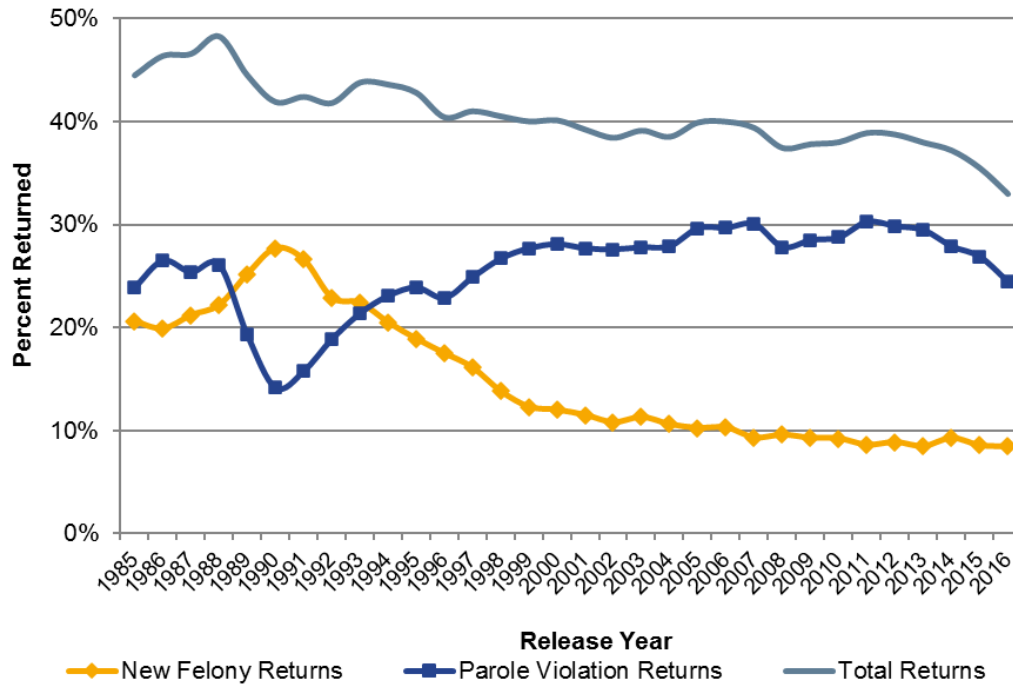


Figure 11.2
Trends in Return Rates: Suburban NYC Commitments

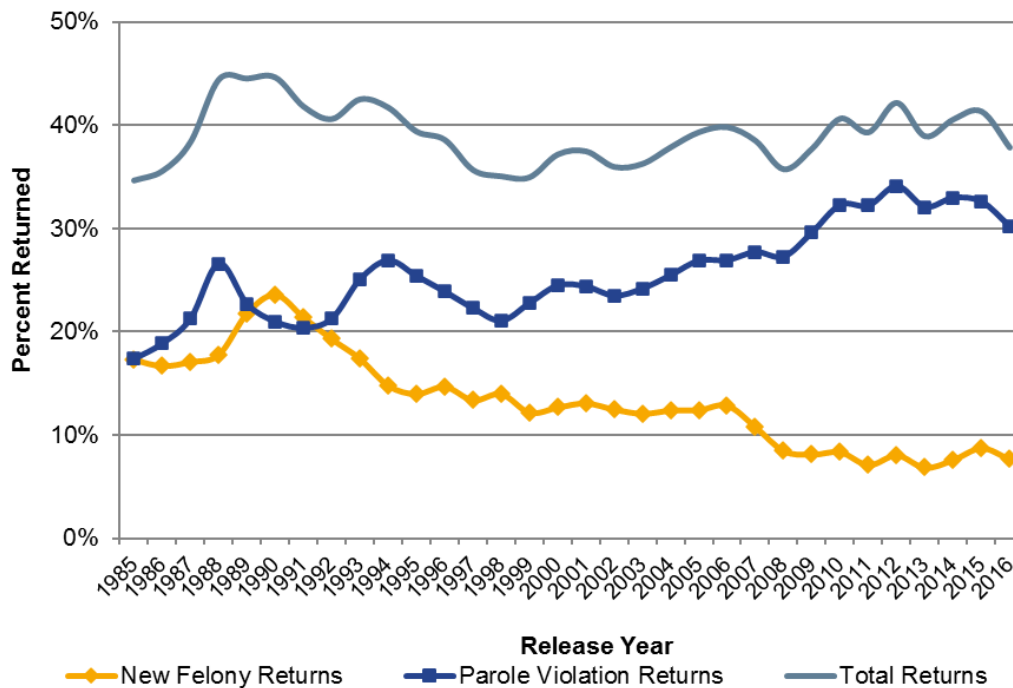


Figure 11.3
Trends in Return Rates: Upstate Urban Commitments

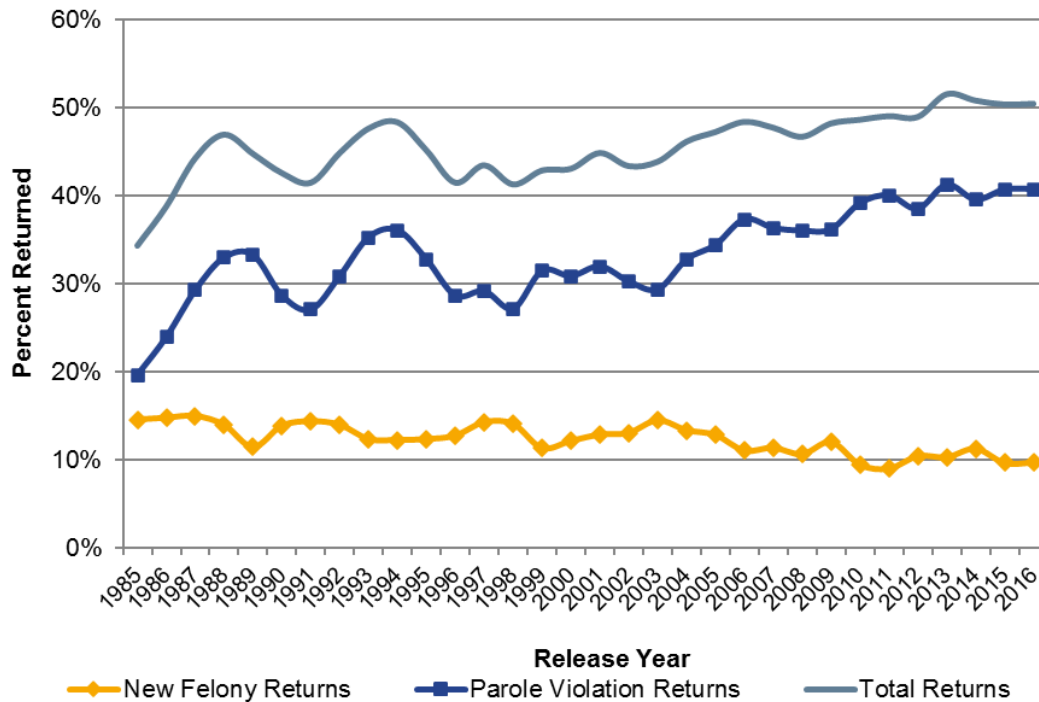
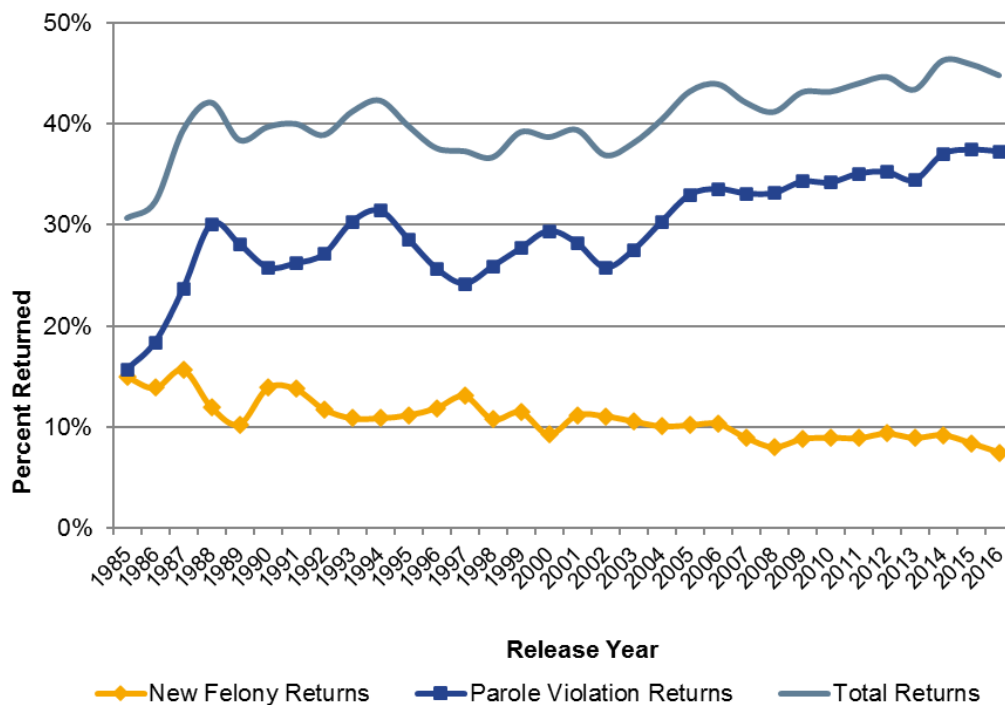


Figure 11.4
Trends in Return Rates: Other New York State Commitments



SECTION TWELVE: RETURNS OF DRUG OFFENDERS

Table 12 presents return rates by release type and felony class¹⁹ for individuals originally committed for a drug offense. Overall, 36% of the 4,426 drug offenders released in 2016 returned to DOCCS' custody within three years, including 26% as parole violators and 10% with new convictions.

Fifty-four percent of the drug offenders released in 2016 were convicted of drug sales; 46% were in DOCCS' custody for drug possession convictions. Offenders convicted of drug sales were more likely to return than those convicted of possession (38% compared to 34%). These differences were attributed to higher levels of parole violation returns among offenders convicted of drug sales (29%) compared to the rates among those convicted of possession (23%). The new felony return rate was higher for those convicted of drug possession convictions (11%) compared with drug sale convictions (9%). The trends in the return rates of drug offenders were presented in Section Five.

There was considerable variation in the return rates between drug felony classes; A-I and A-II drug felons returned at much lower rates than drug offenders convicted of less serious drug offenses. This may be a function of the fact that these serious drug felons spent more time incarcerated due to longer sentences and 67% of them were first releases.²⁰ Among the 1985-2016 drug release cohort, new felony returns were generally higher than were found for the 2016 cohort (14% compared to 10%) and returns for parole violations were lower (25% compared to 26%).

¹⁹ New York grades felonies into classes ranging from the most serious, Class A-1, to the least serious, Class E. Sentence length is usually related to offense class.

²⁰ See Section Ten for discussions of return rates by first/previous releases.

Table 12
Type of Drug Felony by Type of Return
Releases in 2016 and 1985-2016

DRUG OFFENSE BY FELONY CLASS	TOTAL RELEASED		TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
	#	%	#	%	#	%	#	%
2016 DRUG COMMITMENTS	4,426	100.0%	1,600	36.2%	436	9.9%	1,164	26.3%
CLASS A-I	40	0.9%	7	17.5%	2	5.0%	5	12.5%
CLASS A-II	270	6.1%	47	17.4%	12	4.4%	35	13.0%
CLASS B	2,190	49.5%	787	35.9%	199	9.1%	588	26.8%
CLASS C	980	22.1%	385	39.3%	123	12.6%	262	26.7%
CLASS D	757	17.1%	302	39.9%	79	10.4%	223	29.5%
CLASS E	189	4.3%	72	38.1%	21	11.1%	51	27.0%
SALE	2,376	100.0%	909	38.3%	212	8.9%	697	29.3%
CLASS A-I	20	0.8%	3	15.0%	1	5.0%	2	10.0%
CLASS A-II	109	4.6%	22	20.2%	5	4.6%	17	15.6%
CLASS B	1,362	57.3%	541	39.7%	120	8.8%	421	30.9%
CLASS C	499	21.0%	201	40.3%	51	10.2%	150	30.1%
CLASS D	313	13.2%	116	37.1%	28	8.9%	88	28.1%
CLASS E	73	3.1%	26	35.6%	7	9.6%	19	26.0%
POSSESSION	2,050	100.0%	691	33.7%	224	10.9%	467	22.8%
CLASS A-I	20	1.0%	4	20.0%	1	5.0%	3	15.0%
CLASS A-II	161	7.9%	25	15.5%	7	4.3%	18	11.2%
CLASS B	828	40.4%	246	29.7%	79	9.5%	167	20.2%
CLASS C	481	23.5%	184	38.3%	72	15.0%	112	23.3%
CLASS D	444	21.7%	186	41.9%	51	11.5%	135	30.4%
CLASS E	116	5.7%	46	39.7%	14	12.1%	32	27.6%
1985-2016								
DRUG COMMITMENTS	274,963	100.0%	105,669	38.4%	37,364	13.6%	68,305	24.8%
CLASS A-I	1,174	0.4%	117	10.0%	33	2.8%	84	7.2%
CLASS A-II	15,779	5.7%	2,042	12.9%	615	3.9%	1,427	9.0%
CLASS B	80,010	29.1%	28,181	35.2%	8,917	11.1%	19,264	24.1%
CLASS C	71,344	25.9%	30,199	42.3%	9,895	13.9%	20,304	28.5%
CLASS D	84,688	30.8%	36,081	42.6%	13,820	16.3%	22,261	26.3%
CLASS E	21,734	7.9%	8,990	41.4%	4,061	18.7%	4,929	22.7%
DATA NOT AVAILABLE	234	0.1%	59	25.2%	23	9.8%	36	15.4%
SALE	191,353	100.0%	77,818	40.7%	26,863	14.0%	50,955	26.6%
CLASS A-I	571	0.3%	57	10.0%	14	2.5%	43	7.5%
CLASS A-II	7,313	3.8%	941	12.9%	289	4.0%	652	8.9%
CLASS B	57,352	30.0%	21,873	38.1%	6,686	11.7%	15,187	26.5%
CLASS C	54,266	28.4%	23,939	44.1%	7,661	14.1%	16,278	30.0%
CLASS D	58,858	30.8%	25,623	43.5%	9,756	16.6%	15,867	27.0%
CLASS E	12,819	6.7%	5,337	41.6%	2,439	19.0%	2,898	22.6%
DATA NOT AVAILABLE	174	0.1%	48	27.6%	18	10.3%	30	17.2%
POSSESSION	83,610	100.0%	27,851	33.3%	10,501	12.6%	17,350	20.8%
CLASS A-I	603	0.7%	60	10.0%	19	3.2%	41	6.8%
CLASS A-II	8,466	10.1%	1,101	13.0%	326	3.9%	775	9.2%
CLASS B	22,658	27.1%	6,308	27.8%	2,231	9.8%	4,077	18.0%
CLASS C	17,078	20.4%	6,260	36.7%	2,234	13.1%	4,026	23.6%
CLASS D	25,830	30.9%	10,458	40.5%	4,064	15.7%	6,394	24.8%
CLASS E	8,915	10.7%	3,653	41.0%	1,622	18.2%	2,031	22.8%
DATA NOT AVAILABLE	60	0.1%	11	18.3%	5	8.3%	6	10.0%

SECTION THIRTEEN: RETURN RATES OF VETERANS

Table 13 presents a breakdown of releases who were identified as verified veterans of the United States Armed Forces and releases considered nonveterans. Verified veterans comprised only four percent of all 2016 releases, but they returned to prison at lower rates (30%) than nonveterans (41%). This difference in return rates held for both new commitment and parole violator returns.

Table 13
Returns Among Verified Veterans and Nonveterans
Releases in 2016 and 2013-2016

VETERAN STATUS	TOTAL RELEASED		TOTAL RETURNED	RETURNED:	
	#	%		NEW COMMITMENT	PAROLE VIOLATION
2016 RELEASES	21,224	100.0%	8,627	1,789	6,838
% (return/release)			40.6%	8.4%	32.2%
VERIFIED VETERANS	806	3.8%	239	42	197
% (return/release)			29.7%	5.2%	24.4%
NONVETERANS	20,418	96.2%	8,388	1,747	6,641
% (return/release)			41.1%	8.6%	32.5%
2013-2016 RELEASES	86,286	100.0%	36,163	7,674	28,489
% (return/release)			41.9%	8.9%	33.0%
VERIFIED VETERANS	2,770	3.2%	878	154	724
% (return/release)			31.7%	5.6%	26.1%
NONVETERANS	83,516	96.8%	35,285	7,520	27,765
% (return/release)			42.2%	9.0%	33.2%

SECTION FOURTEEN: RETURN RATES BY TOTAL (STATE + JAIL) TIME SERVED

The average “total time served” (i.e., state time plus jail time) for the 2016 release cohort was 37.1 months and the median was 23.3 months.

The return rates by total time served are presented in **Table 14**. Those 2016 releases with total time served of 12-17 months had the highest return rate (45%) while those with total time served of 240 or more months had the lowest return rate (11%). Generally, as the total time served increased, the return rate decreased.

For new commitment returns, the highest return rate of 11% occurred among those with a total time served of 36-47 months while those who served the longest total time (240 or more months) had the lowest return rate (1%). Return rates for new felony convictions generally declined with the amount of total time served. This pattern also generally held for returns for violating the conditions of parole supervision with the highest return rate occurring among those who served 12-17 months of total time (36%) and the lowest rate (10%) among those who served 240 or more months.

Table 14
Return Rates by Total (State + Jail) Time Served
Releases in 2016

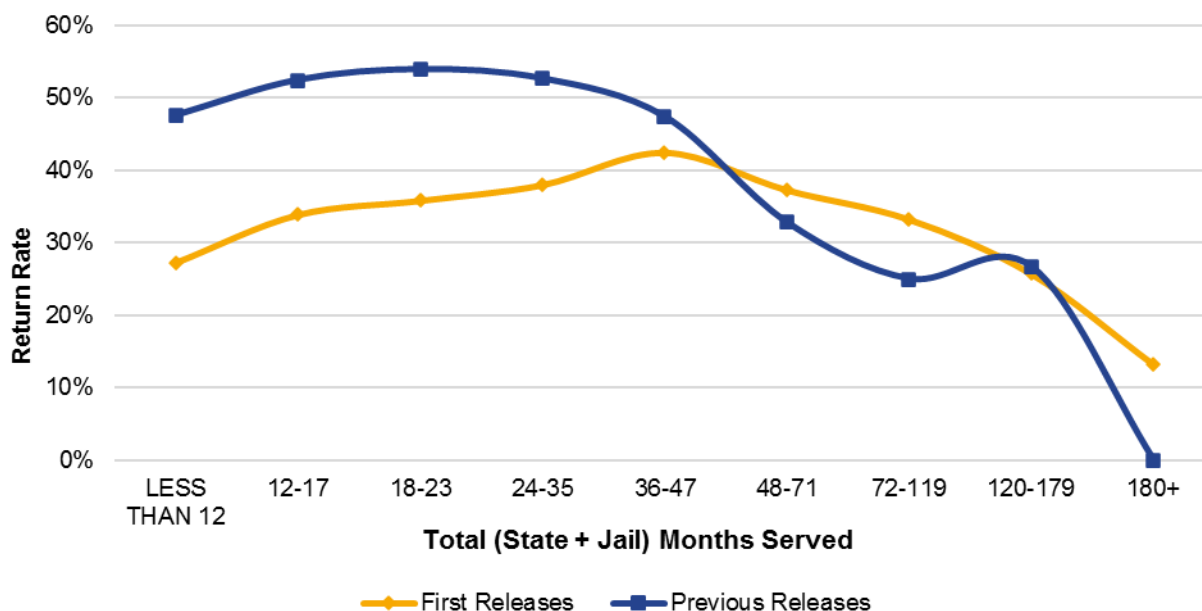
TOTAL (STATE + JAIL) TIME SERVED	TOTAL RELEASED		TOTAL RETURNED	RETURNED:	
	#	%		NEW COMMITMENT	PAROLE VIOLATION
2016 RELEASES	21,224	100.0%	8,627	1,789	6,838
% (return/release)			40.6%		
LESS THAN 12 MONTHS	4,325	20.4%	1,845	421	1,424
% (return/release)			42.7%	9.7%	32.9%
12 - 17 MONTHS	3,763	17.7%	1,702	360	1,342
% (return/release)			45.2%	9.6%	35.7%
18 - 23 MONTHS	3,762	17.7%	1,589	277	1,312
% (return/release)			42.2%	7.4%	34.9%
24 - 35 MONTHS	3,893	18.3%	1,599	319	1,280
% (return/release)			41.1%	8.2%	32.9%
36 - 47 MONTHS	1,535	7.2%	659	164	495
% (return/release)			42.9%	10.7%	32.2%
48 - 71 MONTHS	1,890	48.5%	702	146	556
% (return/release)			37.1%	7.7%	29.4%
72 - 119 MONTHS	1,056	27.1%	348	67	281
% (return/release)			33.0%	6.3%	26.6%
120 - 179 MONTHS	423	11.2%	109	23	86
% (return/release)			25.8%	5.4%	20.3%
180 - 239 MONTHS	212	5.4%	35	8	27
% (return/release)			16.5%	3.8%	12.7%
240 OR MORE MONTHS	365	9.4%	39	4	35
% (return/release)			10.7%	1.1%	9.6%
MEAN TIME SERVED IN MONTHS	37.1		30.1	29.4	30.3
MEDIAN TIME SERVED IN MONTHS	23.3		20.8	20.5	21.0

As mentioned in Section Ten, 62% of the 2016 releases were released for the first time on their sentence, while 38% had been previously released from DOCCS. Total time served for those who had been previously released from DOCCS does not include the time served on the original sentence. It includes only state time and jail time served as a result of a return for a parole violation or a return to custody from another agency or a court-ordered discharge. Therefore, the possible total time served for individuals with a previous release was much shorter than for those released from DOCCS to the community on their sentence for the first time.

The average “total time served” (i.e., state time plus jail time) for the 2016 release cohort who were released for the first time on their sentence was 49.7 months and the median was 31.9 months, compared with previous releases who had an average “total time served” of 16.4 months and a median of 13.7 months.

Regardless of whether or not the release was a first release, return rates were higher for those who served the least amount of total time, as shown in **Figure 14**.

Figure 14
Return Rates among First and Previous Releases by Total (State + Jail) Time Served
Releases in 2016



SECTION FIFTEEN: RETURN RATES BY COMPAS SUPERVISION LEVEL

The COMPAS Supervision model of Community Supervision was implemented in January 2012. The four supervision levels and the accompanying ratios (25:1, 40:1, 80:1, and 160:1) and reporting requirements were determined based on a number of risk factors, including risk of absconding, risk of any arrest, and risk of Violent Felony arrest. Individuals determined by the Article 10 process to require Strict and Intensive Supervision and Treatment are supervised at a 10:1 ratio and are included in the Level 1 category. Other sex offenders and mental health cases are also supervised at Level 1.

Table 15 presents a breakdown of individuals released to Community Supervision by the first known COMPAS Supervision Level at release. Those who did not have a COMPAS assessment conducted at the time of release were considered pending and excluded from the analysis.

For 2016 releases to Community Supervision, the overall return rate was 43%. Those supervised at the highest level (Level 1) were returned at the highest rate (57%) and those supervised at the lowest level (Level 4) had the lowest return rate (18%). This finding was consistent for returns for parole violations, while Level 2 releases returned for new commitments at slightly higher rates than Level 1. Among the 2013-2016 releases, return rates were highest for Level 1 cases and lowest for Level 4 cases, for both new commitments and parole violations, which reflects the predictive power of the COMPAS Supervision model, which is based on the predicted risk of reoffending.

Table 15
Return Rates by COMPAS Supervision Level:
Releases to Community Supervision in 2016 & 2013-2016

COMPAS LEVEL	TOTAL RELEASED		TOTAL RETURNED	RETURNED:		RETURNED:
	#	%		NEW COMMITMENT	PAROLE VIOLATION	
2016 RELEASES	18,891	100.0%	8,171	1,369	6,802	
% (return/release)			43.3%	7.2%	36.0%	
Level 1	6,375	33.7%	3,625	508	3,117	
% (return/release)			56.9%	8.0%	48.9%	
Level 2	3,668	19.4%	1,929	302	1,627	
% (return/release)			52.6%	8.2%	44.4%	
Level 3	5,063	26.8%	1,933	396	1,537	
% (return/release)			38.2%	7.8%	30.4%	
Level 4	3,785	20.0%	684	163	521	
% (return/release)			18.1%	4.3%	13.8%	
2013-2016 RELEASES	76,678	100.0%	34,224	5,938	28,286	
% (return/release)			44.6%	7.7%	36.9%	
Level 1	24,648	32.1%	14,470	2,190	12,280	
% (return/release)			58.7%	8.9%	49.8%	
Level 2	16,536	21.6%	8,781	1,460	7,321	
% (return/release)			53.1%	8.8%	44.3%	
Level 3	20,738	27.0%	8,153	1,641	6,512	
% (return/release)			39.3%	7.9%	31.4%	
Level 4	14,756	19.2%	2,820	647	2,173	
% (return/release)			19.1%	4.4%	14.7%	

Note: Releases to Community Supervision with pending COMPAS assessments or for whom an exact match between COMPAS data and release data was not found were excluded from this table.

SECTION SIXTEEN: RETURN RATES FOR SUBSEQUENT RELEASE COHORTS

Releases from 2017 and 2018 were followed so that more current trends in return rates could be examined. The 2017 releases were followed for two years, and the 2018 releases were followed for a one year period. The outcomes of these partial follow-ups are compared to the 2017 releases and presented in **Table 16**.

Compared to 2016, the percentage of releases who returned within 12 months after release was slightly lower for both the 2017 and 2018 release cohorts. The return rate for the 2016 cohort was 22%, 21% for the 2017 release cohort, and 20% for the 2018 release cohort. The return rate was stable for new commitments (2%), but the return rate for violating the conditions of parole was higher for the 2016 release cohort (20%) compared with the 2017 and 2018 release cohorts (19% and 18%, respectively).

The percentage of releases who returned within 24 months of release was slightly higher among the 2016 release cohort (35%) compared with the 2017 release cohort (33%). This difference in the return rates was attributed to a difference in returns for violating the conditions of parole (29% for the 2016 release cohort and 28% for the 2017 releases cohort).

Table 16
2016, 2017, and 2018 Releases: Time to Return by Sex

	MALES						FEMALES						TOTAL					
	2016		2017		2018		2016		2017		2018		2016		2017		2018	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
TOTAL RELEASED	19,745		19,500		19,355		1,479		1,429		1,566		21,224		20,929		20,921	
TOTAL RETURNS																		
Months to Return:																		
12	4,445	22.5%	4,076	20.9%	3,820	19.7%	269	18.2%	254	17.8%	269	17.2%	4,714	22.2%	4,330	20.7%	4,089	19.5%
24 (cumulative)	6,971	35.3%	6,608	33.9%	NA		419	28.3%	379	26.5%	NA		7,390	34.8%	6,987	33.4%	NA	
36 (cumulative)	8,150	41.3%	NA		NA		477	32.3%	NA		NA		8,627	40.6%	NA		NA	
NEW COMMIT																		
Months to Return:																		
12	366	1.9%	379	1.9%	334	1.7%	14	0.9%	10	0.7%	13	0.8%	380	1.8%	389	1.9%	347	1.7%
24 (cumulative)	1,166	5.9%	1,167	6.0%	NA		46	3.1%	29	2.0%	NA		1,212	5.7%	1,196	5.7%	NA	
36 (cumulative)	1,724	8.7%	NA		NA		65	4.4%	NA		NA		1,789	8.4%	NA		NA	
PAROLE VIOLATION																		
Months to Return:																		
12	4,079	20.7%	3,697	19.0%	3,486	18.0%	255	17.2%	244	17.1%	256	16.3%	4,334	20.4%	3,941	18.8%	3,742	17.9%
24 (cumulative)	5,805	29.4%	5,441	27.9%	NA		373	25.2%	350	24.5%	NA		6,178	29.1%	5,791	27.7%	NA	
36 (cumulative)	6,426	32.5%	NA		NA		412	27.9%	NA		NA		6,838	32.2%	NA		NA	
TOTAL RETURNS																		
Months to Return:																		
1-6	2,107	10.7%	1,950	10.0%	1,833	9.5%	134	9.1%	125	8.7%	129	8.2%	2,241	10.6%	2,075	9.9%	1,962	9.4%
7-12	2,338	11.8%	2,126	10.9%	1,987	10.3%	135	9.1%	129	9.0%	140	8.9%	2,473	11.7%	2,255	10.8%	2,127	10.2%
13-18	1,519	7.7%	1,510	7.7%	NA		91	6.2%	77	5.4%	NA		1,610	7.6%	1,587	7.6%	NA	
19-24	1,007	5.1%	1,022	5.2%	NA		59	4.0%	48	3.4%	NA		1,066	5.0%	1,070	5.1%	NA	
25-36	1,179	6.0%	NA		NA		58	3.9%	NA		NA		1,237	5.8%	NA		NA	
TOTAL RETURNS	8,150	41.3%	6,608	33.9%	3,820	19.7%	477	32.3%	379	26.5%	269	17.2%	8,627	40.6%	6,987	33.4%	4,089	19.5%

Prepared by:

Division of Program Planning, Research & Evaluation